ساتھ مسلم شبد کو بھی جوڑے، جس سے کیول 0-8 فیصد جن سنخیہ والے اس ورگ کو بھی اپنا شیکشک، آرتھک اور سماجک استر سدھارنے کا اوسر ملے، تاکہ وہ بھی سمّان سے اپنی زندگی گزار سکیں اور اپنے دھرم کے دلتوں کی طرح مکھیے دھارا میں شامل ہو کر راشٹریہ نرمان میں سہیوگ دے سکیں. شکریہ.

श्री राजनीति प्रसाद (बिहार) : महोदय, मैं अपने आपको सम्बद्ध करता हूं।

Demand to Stop Exploitation of Rare Medicinal Herbs in Himalayas

श्री भगवती सिंह (उत्तर प्रदेश) : महोदय, उत्तराखंड की हिमालयी पर्वतमाला आयुर्वेद औषधियों के लिए धनी क्षेत्र रहा है। सरकारी उदासीनता के कारण यह क्षेत्र उजड़ रहा है। अविवेकपूर्ण दोहन से वनों का जबरदस्त कटान और बिगड़ते हुए पर्यावरण ने संकट खड़ा कर दिया है। हिमालय से लेकर शिवालिक क्षेत्र में वैध और अवैध रूप से सैकड़ों ठेकेदार जड़ी-बूटी संग्रह में लगे हुए हैं। दवा निर्माता कंपनियां भी इस क्षेत्र में सक्रिय हैं। आयुर्वेद औषधियों तथा सौन्दर्य प्रसाधनों की बढ़ती हुई मांग के कारण तस्करी बड़ी मैमाने पर हो रही है। विदेशों में भी आयुर्वेद के प्रति आकर्षण बढ़ा है। इस कारण जड़ी-बूटियों की तमाम प्रजातियां संकटग्रस्त हैं। भारतीय वनस्पति सर्वेक्षण विभाग ने भी स्वीकार किया है कि जड़ी-बूटियां की करीब एक हजार प्रजातियों के मिलने का उल्लेख किया है, जिनमें तमाम प्रजातियां मिलती ही नहीं और 200 प्रजातियां विलुप्त अवस्था में हैं। हमारी सरकार से मांग है कि दुलर्भ जड़ी-बूटियों के भंडार को बचाने के लिए प्रभावकारी कदम उठाएं।धन्यवाद।

श्री वीर पाल सिंह यादव (उत्तर प्रदेश) : महोदय, मैं इसका समर्थन करता हूं।

MR. DEPUTY CHAIRMAN: The House is adjourned for lunch till 2.00 p.m.

The House then adjourned for lunch at fifty-five minutes past twelve of the clock.

The House re-assembled after lunch at two minutes past two of the clock,
MR. DEPUTY CHAIRMAN in the Chair.

GOVERNMENT BILL

The Right of Children to Free and Compulsory Education Bill, 2008

MR. DEPUTY CHAIRMAN: We shall now take up the Right of Children to Free and Compulsory Education Bill, 2008. Mr. Kapil Sibal to move the motion for consideration.

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI KAPIL SIBAL): Sir, I beg to move:

That the Bill to provide for free and compulsory education to all children of the age of six to fourteen years, be taken into consideration.

The question was proposed.

डा. (श्रीमती) नजमा ए. हेपतुल्ला (राजस्थान): सभापति महोदय, मंत्री जी ऐसा बिल लेकर आए हैं कि जिसको कोई oppose करेगा ही नहीं। बच्चों की तालीम को तो कोई oppose करेगा नहीं। जब मैं राज्य सभा में चेयर पर थी,

तब सन् 2002 में डा. मुरली मनोहर जोशी जी ने 80th अमेंडमेंट लाकर, इसको फंडामेंटल राइट से कांस्टीट्यूशन अमेंडमेंट चेंज में लेकर, फंडामेंटल राइट बनाया। इसलिए हम तो इसका oppose करेंगे ही नहीं। हमें दुख इस बात का है कि इसके आने में इतना वक्त क्यों लगा? यह बिल 2005 में आ जाना चाहिए था, मगर नहीं आया। मंत्री जी इसको 2005 में न लाकर अब लाए हैं। कोई बात नहीं, आप इसको लाए हैं, हमें इस बात की खुशी है। उपसभापति महोदय, मैं तो भोपाल में पैदा हुई हूं। भोपाल में लड़कियों के लिए कोई एजुकेशन फीस नहीं थी। उनके लिए फ्री एजुकेशन थी। मंत्री जी, मैंने Ph. D तक एक पैसा खर्च नहीं किया। हम केवल पूअर स्टूडेंट्स फंड में पैसे देते थे। भोपाल की तारीख में चार महिलाएं रही है, जो वहां पर हुकूमत करती थीं। वे मुसलमाल औरतें थीं। जो वहां की आखिरी रानी सुलतानजहां बेगम थी, उनका ध्यान एजुकेशन और खासकर गर्ल्स एजुकेशन के ऊपर बहुत था। उन्होंने हिन्दुस्तान में शायद पहली बार लड़कियों को लिए जबरिया स्कूल, कम्पलसरी एजुकेशन का कंसेप्ट दिया, जो कि भोपाल में था। लड़कियों को घरों से ले जाकर स्कूल में दाखिल करा देते थे और उनके मां-बाप को stipend देते थे, ताकि वे कोई बहाना न करें कि ये घरों में काम करेंगी। उन्हें वजीफा दिया जाता था। मैं भी भोपाल में पैदा हुई, यह मेरी तकदीर थी, चूंकि मेरी दादी जी मौलाना अबुल कलाम आजाद की बहन थी, उनको सुलतानजहां बेगम भोपाल लेकर आईं। वे उतनी ही पढ़ी-लिखी थीं, जितने कि उनके भाई थे। उन्हें भोपाल लेकर आईं और लड़कियों की एजुकेशन का इंजार्च बनाया। उन्हीं के जमाने में भोपाल में लड़कियों के टेक्नीकल स्कूल खुले। हमारे घर का एजुकेशन से शुरू से ही ताल्लुक रहा है और उसी को अहमियत दी है। हमने लड़का-लड़की में कभी फर्क महसूस नहीं किया। मैं यहां मंत्री जी की बात से सहमत हूं कि कुछ स्टेट्स ने इसे माना है, कुछ स्टेट्स ने इसे नहीं माना है। आपने जो युनिवर्सल एजुकेशन की बात कही है, वह बहुत सही है। आपने जो स्टैण्डेडाइजेशन और एग्जामिनेशन की बात कही है, वह बहुत सही कही है, क्योंकि कंपीटिशन में एक लेवल प्लेइंग ग्राउंड मिलना चाहिए। बहुत से लोगों ने इस पर एतराज किया है। बहुत सी स्टेट्स ने इसे नहीं माना है। वे यह समझते हैं कि इससे उनके जो एग्जामिनेशन बोर्ड्स हैं, उनकी वैल्यू खत्म हो जाएगी। मैं यह समझती हूं कि यह बहुत जरूरी है कि मुल्क में युनिवर्सल एजुकेशन हो। 1948 में, शायद अप्रैल 27 या 28 को हिदुस्तान के पहले एजुकेशन मिनिस्टर श्री मौलाना अबुल कलाम आजाद ने कांस्टीटूएंट असेम्बली को खत लिखा था। जब एजुकेशन की ग्रांटस् मांगी जा रही थीं, तब उन्होंने कांसेप्ट ऑफ युनिवर्सल एजुकेशन की बात कही थी। उन्होंने यह सोचा था, कहा था कि मुल्कआजादी के पहले जिन हालात से गुजरा है, जिस divisive और fissiparous tendency से गुजरा है, उस संदर्भ में यह बहुत जरूरी है कि देश की एकता और अखंडता को कामय रखने के लिए एक युनिवर्सल एजुकेशन होनी चाहिए। उन्होंने यह भी कहा कि education should be treated on par with defence क्योंकि जब मुल्क पर कोई आपत्ति आती है, तो कहीं न कहीं से मुल्क अपनी हिफाजत के लिए साधन जोड़ लेता है, परंतु अफसोस की बात यह है कि ऐसा हो नहीं पाया। उन्होंने सेंटर-स्टेट के बारे में भी लिखा कि 30% सेंटर को स्टेट की मदद करनी चाहिए, परंतु वह भी हो नहीं पाया है। सर, सबसे अफसोस की बात यह है कि जब पहला ड्राफ्ट बना, जब हमने फाइव ईयर प्लान की नीति बनाई, तो जो फर्स्ट प्लान का ड्राफ्ट बना था, उस ड्राफ्ट के अंदर एजुकेशन का कोई जिक्र ही नहीं था। उसकी वजह यह बताई गई कि उसका क्विक रिटर्न नहीं होता है। यह अफसोस की बात है कि आजादी के बाद मुल्क क्विक रिटर्न की बात सोचे। आज जो एजुकेशन का वैश्वीकरण हो रहा है, जिसमें लोग कमा रहे हैं, उससे लोगों को क्विक रिटर्न मिल रहा है। प्राइवेट इंस्टीट्यूशन्स को मिल रहा है। ये लोग केपिटेशस फीस ज्यादा लगाकर

बच्चों से फीस ज्यादा भरकर चला रहे हैं। मैं एलिमेंट्री एजुकेशन पर एक आर्टिकल पढ़ रही थी। जब मैं अमरीका में शिकागो में युनिवर्सिटी की कांफ्रेंस में गई थी, तो वहां मैंने इंटरनेट पर आर्टिकल पढ़ा और मुझे खुशी हुई कि कपिल सिब्बल साहब ने एजुकेशन के स्टैण्डर्ड बढ़ाने के लिए फॉरेन युनिवर्सिटी के साथ कॉ-ऑपरेशन की बात कही है। इस पर लोगों ने एतराज क्यों किया, यह मुझे समझ नहीं आया। बाद में खबर आई कि आपने उसे ठंड बस्ते में डाल दिया है। आपने युनिवर्सल एजुकेशन की बात कही, उस पर एशियन एज में मैंने एक आर्टिकल पढ़ा "Sibal's reforms must pass language test." यह पूरा आर्टिकल पॉजिटिव है। जहां इस आर्टिकल में आपकी तारीफ की है, वहां एक बात और भी कही है कि प्रो. यशपाल की कमेटी की जो रिपोर्ट थी, इसमें उसका भी जिक्र है और language के बारे में बात की है। यह बात ठीक है कि हमारे मुल्क में जो provinces बनीं, स्टेट्स बनीं, वे language की बुनियाद पर बनीं। यह बड़े फख्र की बात है कि हमारे मुल्क में इतनी जबानें हैं। सिब्बल साहब, आप आज क्वैश्चन ऑवर में नहीं थे, यहां तकरीबन एक हंगामे का माहौल पैदा हो गया था। वह कोई हिन्दी, अंग्रेजी या तमिल की लड़ाई नहीं है। अंग्रेजी हमारी, कहिए, मजबूरी है; अंग्रेजी हमारी जरूरत है और अंग्रेजी हमारी strength भी है। उसका कोई झगड़ा नहीं था, मगर सवाल उठाया गया कि अंग्रेजी में जवाब दे रहे हैं, वह हिन्दी में देते। उस पर शायद तमिल के लोग सोचें कि तमिल के खिलाफ है। जहां अंग्रेजी-हिन्दी की बात है, Tamil has nothing to do with it because Tamil is a very rich language and we are proud of the fact that we have so many language in our country. Every time I travel abroad I carry one or two small currency notes to see how many languages we have in our country. न सिर्फ हमारे मुल्क में अलग-अलग जबानें हैं, बल्कि लिपियां भी हैं। They are languages with their own scripts. We are proud of it. मंत्री जी, मैं समझती हूं कि elementary education mother tongue में देनी चाहिए, मादरे जबान में elementary education देनी चाहिए। जब बच्चा पैदा होता है और अपनी mother tongue में बोलता है, तो उसको grammar नहीं सीखनी पड़ती। वह खुद-ब-खुद सही grammar बोलता है, सही tense बोलता है, सही gender बोलता है। मैं अपनी मिसाल दूं। मैंने मैट्रिक तक उर्दू में तालीम हासिल की। मुझे इस बात का फ़ख्र है कि मैंने अपनी मादरे जबान में तालीम हासिल की। But, English is a strong subject. I studied it as a language. मैट्रिक के बाद जब मैंने कालेज/यूनिवर्सिटी में switch over किया, तो मुझे कोई तकलीफ नहीं हुई, मुझे कोई problem नहीं हुई। My reocrd is that I was a first-class throughout and I topped in my post-graduation in my university. जब 22 साल की उम्र में मैंने अपनी PhD की डिग्री ली, तो मैंने अंग्रेजी में अपनी thesis submit की। अंग्रेजी से कोई लड़ाई नहीं है, मगर सवाल यह होता है कि जब हम अपनी मादरे जबान में पढ़ते हैं, तो उसके साथ-साथ हम अपना culture भी सीखते हैं। अंग्रेजी जबान में पढ़ेंगे, तो यकीनन शेक्सपीयर एक बहुत बड़े playwright थे या वड्सवर्थ की 'Daffodil' के बारे में हम पढ़ेंगे, तो as a literature हम पढ़ेंगे, मगर जब हम हिन्दी में पढ़ेंगे, तो हमें कालीदास की 'मेघदूत' भी याद आएगी और सर मोहम्मद इकबाल की सारे जहां से अच्छा हिन्दोस्तां हमारा भी या इसी तरह तमिल के किसी बहुत बड़े poet के बारे में या तेलुगु के बारे में पढ़ेंगे, तब भी। मैं आपको एक reference देना चाहती हूं कि अंग्रेजों ने हिन्दुस्तान पर हुकूमत क्यों और कैसे की। 1935 में मैकाले ने कहा था and I quote him, "I do not think that we would ever conquer this country, India, unless we break the very backbone of this nation which is her spiritual and cultural heritage and, therefore, I propose that we replace her old and ancient education system, her culture,

for, if the replace think that all that is foreign and English is good and greater than their own, they will lose their self-esteem, their native culture and they will become what we want them, a truly dominated nation". यह अंग्रेजों का ख्याल था। मगर जैसा मैंने कहा कि अंग्रेजी हमारी जरूरत है, हमारी ताकत है, हमारी necessity है। 1951 में पटना यूनिवर्सिटी में मौलाना अबुल आजाद ने यह बात कही थी कि देश को जोड़ने के लिए and communication between North and South, East and West, we have to have English. स्ट्रैंथ इसलिए है कि एक बार जब मैं मिस्टर ली पैंग से बात कर रही थी कि हमने अपने पार्लियामेंट को कैसे कंप्यूटराइज्ड किया, कैसे सब मैम्बर्स ने कम्प्यूटर को अपना लिया, तो उन्होंने कहा "Because you people have English as a link language. We are teaching English in China for them to adopt the computer, the modern technology." आज हम ग्लोबलाइज्ड वर्ड में रहते हैं। इस बात में कोई शक नहीं है कि हमें अंग्रेजी पढ़नी है, मगर हमें हिन्दी, उर्दू, तमिल और मराठी पढ़ कर नॉलेज हासिल करने में कोई बाधा नहीं आती। मुझे नहीं लगता कि नॉलेज या ज्ञान किसी लैंग्वेज के अंदर बंधा हुआ है। एक छोटे बच्चे को अगर ऐलिमेंटरी ऐजुकेशन आप उसकी मातृभाषा में देंगे, तो यह बेटर होगा, यूनिवर्सल होगा। वह बच्चा अपने कल्चर की कद्र करेगा। वह सिर्फ हैरी पॉटर नहीं पढ़ेगा, वह पंचतंत्र की कहानियां भी पढ़ेगा, जिसका ट्रांसलेशन सदियों पहले इब्न बतूता ने अरेबिक में किया था। हिन्दुस्तान हमेशा नॉलेज का सैंटर रहा है। चाहे चाइना के ह्वान सांग या फाहियान हों या फिर इब्न बतूता हों, वे हमारी तक्षशिला और नालंदा यूनिवर्सिटीज में पढ़ने के लिए, इल्म हासिल करने के लिए हिन्दुस्तान आते थे।

जब अंग्रेजी अपने nascent stage पर थी और यूरोप जहालत के अंधकार में डूबा था, उस समय हिन्दुस्तान में ये यूनिवर्सिटीज थीं और बेस लैंग्वेज संस्कृत थी। इस लैंग्वेज की ग्रामर को रशियन और लैटिन इत्यादि दूसरी जबान के लोगों ने भी अपनाया।

मंत्री जी, आपने इसमें बहुत सी बातें कही हैं। एक बात आपने इसमें नेबरहुड स्कूल की भी कही है, लेकिन नेबरहुड स्कूल की डेफिनेशन आपने नहीं बताई। हमारी जो पार्लियामेंट की स्टैंडिंग कमेटीज हैं, उनमें आप अपने लैजिस्लेशन्स को भेजते हैं। सर, ये स्टैंडिंग कमेटीज क्यों बनीं? ये इसलिए बनीं, ताकि मैम्बर्स ऑफ पार्लियामेंट किसी बिल के ऊपर जिन बातों को हाउस के अंदर ध्यान न देख सकें, स्टैंडिंग कमेटीज उन सब बातों के ऊपर अच्छी तरह से विचार करें। मैं यहां पर एक बात और कहना चाहूंगी कि एजुकेशन को आजादी के बाद बहुत इम्पार्टेंट दर्जा दिया गया। पंडित जवाहर लाल नेहरू जी ने अपने सीनियर मोस्ट साथी, मौलाना अबुल कलाम आजाद को एजुकेशन मिनिस्ट्री दी। लेकिन 1958 में उनके जाने के बाद एजुकेशन की वह अहमियत नहीं रही। उनके जमाने में एजुकेशन के साथ Science and Technology, Culture, Sports and Youth सब कुछ जुड़ा था। हमारी साहित्य अकादमी, ललित कला अकादमी, संगीत नाटक अकादमी, ICCR, Council of Scientific and Industrial Researchs इत्यादि भी उन्हीं दिनों में कायम हुए। उनके बाद भी कुछ इम्पॉर्टेंट लोग एजुकेशन मिनिस्टर रहे, जैसे प्रो. हुमायूं कबीर, प्रो. नुरुल हसन, श्री एम.सी. छागला इत्यादि। ये सब काबिल लोग थे, आप भी काबिल हैं और एक अच्छे वकील भी हैं। मुझे यकीन है कि इस मिनिस्ट्री में रह कर आप हमारे लीडर की तरह अपनी इस मिनिस्ट्री के लिए सुप्रीम कोर्ट में अच्छा आर्गुमेंट करेंगे। मुझे इस बात की खुशी भी है कि मनमोहन सिंह जी ने सैम पेट्रोडा के अंदर एक नॉलेज कमिशन बनाया और साथ ही आपको यह मंत्रालय दिया। पिछले 37-38 साल मे एजुकेशन के बारे में कोई ज्यादा बात नहीं हुई। 1985 में जब स्वर्गीय राजीव गांधी प्रधान मंत्री बने, तो वे एक न्यू एजुकेशन पॉलिसी लाए। वह new education policy लाए और उन्होंने अपने सबसे सीनियर साथी नरसिम्हा राव जी को यह मंत्रालय सौंपा तथा concept of human resource development की स्थापना की। मुझे याद है कि जब विज्ञान भवन में

उन्होंने new education policy का introduction किया, तो उन्होंने वहां यह कहा कि human resource development का यह कंसेप्ट मौलाना आजाद का था। ये राजीव गांधी जी के अल्फाज थे। उन्होंने बहुत अच्छा किया। उन्होंने उसमें न सिर्फ एजुकेशन रखा बल्कि कल्चर, स्पोटर्स, वूमेन और हैल्थ भी उसी में जोड़ा। मुझे याद है कि नरसिम्हा राव जी के साथ तीन महिला मंत्री थीं। मंत्री जी, आपके साथ भी एक महिला मंत्री हैं। She is very good. She answers questions with a lot of confidence. We never have any problem about her answers in the House. We know her commitments. उस जमाने में new education policy के बाद Operation Black Board हुआ। उस समय मैंने नरसिम्हा राव जी को एक चिट्ठी लिखी थी। उस चिट्ठी में मैंने उन्हें लिखा था कि हमारे मुल्क में बहुत से ऐसे इलाके है - डिप्टी चेयरमैन साहब, आपका कर्णाटक है, फारुख अब्दुल्ला साहब कश्मीर से आते हैं, तमिलनाडु के लोग मेरे साथ बैठे हैं। बनारस में साड़िया बुनी जाती हैं। यह जो हमारे traditional crafts हैं, जो हमारी indigenous crafts हैं, जो हमारे आर्ट्स हैं, जैसे कानी शाल को बुनने का या कारपेट बनाने का या बनारस की साड़ियां बनाना या तमिलनाडु में जो साड़ियां बनती हैं अथवा पत्थर पर नक्काशी या खुदाई होती है या लकड़ी पर खुदाई या inlay work आपके यहां कर्णाटक में होता है और मैसूर में होता है, उनके कारीगरों के जो बच्चे हैं, उनको ये आर्ट और क्राफ्ट्स नसलन-बारा-नसलन, generation-to-generations विरासत में मिलती हैं। मगर उनके बच्चे स्कूल और कॉलेज की तालीम हासिल करने के बाद white collar unemployed के ग्रुप में आ जाते हैं। सरकार उन्हें एक तरफ तो नौकरियां नहीं दे सकती और दूसरी तरफ उनके जो traditional crafts हैं, उनको भी ये छोड़ देते हैं, इससे वे भी खत्म हो जाती हैं। आज फारुख साहब मुझे बताएंगे कि कश्मीर में ऐसे कितने लोग हैं, जो कानी शॉल बुनना जानते है या दोरुखी बुनते है? ऐसे कितने लोग है, जो ये काम कर पाते हैं? मैंने नरसिम्हा राव जी को लिखा था कि आप जब new education policy बना रहे हैं तो इसे curriculum में डालिए। आप चाइल्ड लेबर के तौर पर - जैसे अमेरिका में उन दिनों एक बिल आया था कि चूंकि चाइल्ड लेबर का उसमें इस्तेमाल होता था इसलिए हम हिन्दुस्तान का कारपेट नहीं खरीदेंगे, तो आप curriculum के तौर पर उन्हें उनका हुनर सिखाइए, जिससे कि बच्चे स्कूल में उसे सीखे ताकि जब वे बाहर निकलें, तो उन्हें इस बात पर फख्र हो कि हमने एक हुनर सीखा है। मुझे मौलाना साहब ने अपनी एक चिट्ठी में यह लिखा था कि तुम जो भी तालीम हासिल करना चाहो करो, चाहे वह जूते सीने का ही इल्म क्यों न हो। तुम अपने हुनर में अपने को माहिर करो कि लोग तुम्हें तुम्हारे इल्म व हुनर की वजह से पहचानें। इस तरह हमारे वे बच्चे जो कश्मीर, तमिलनाडु या बंगाल अथवा यू.पी. से निकलेंगे, वे अपने हुनर की वजह से पहचाने जाएंगे। वे unemployed Graduate नहीं होंगे।

THE MINISTER OF NEW AND RENEWABLE ENERGY (DR. FAROOQ ABDULLAH): Could I just inform the hon. Member? The people who make carpets- अगर मैं हिन्दी में बात करूंगा तो शोर हो जाएगा।

डा. (श्रीमती) नजमा ए. हेपतुल्ला : क्योंकि मैं अभी हिन्दी में बोल रही थी ...**(व्यवधान)**...

DR. FARROOQ ABDULLAH : All these people who are artisans, who do work on the carpets, we started schools for them. A part of the time, they were taught. When the blackboard thing was brought by hon. Shri Rajiv Gandhiji for our border people because they are the ones who are the most neglected lot, it helped a lot. This is just for information to say how these two programmes really took education further.

डा. (श्रीमती) नजमा ए. हेपतुल्ला : शुक्रिया फारुख साहब, आपने बताया, बहुत अच्छा किया। दो दिन पहले मैंने एक तस्वीर देखी जोकि दिल्ली के आसपास कहीं की थी, उस फोटो में छोटे-छोटे बच्चे दरदोज़ी का काम कर रहे थे। मुझे यकीन है कि दरदोज़ी का काम यू.पी. में बहुत अच्छा होता है, पत्ती का काम अलीगढ़ में होता है। क्या

अलीगढ़ और मुल्क के दूसरे हिस्सों में भी आप इसी तरह की स्कीम लागू कर सकते हैं?

सर, दूसरी चीज जो मैंने नरसिम्हा राव जी को उस समय लिखी थी, वह यह थी कि हमारे यहां आजादी के बाद से educationsl tool kits नहीं बने, specialised tool kits नहीं बने। सर, आप आगरा में जाकर देखें, वहां खुदाई का काम, inlay का वैसे ही करते हैं। उनके पास कोई बेंचेज नहीं होतीं जिन पर कि बच्चों को सिखाया जाए और वे सीख सकें कि inlay work क्या होता है। लकड़ी पर खुदाई के काम के लिए कोई tools हमने डवलप नहीं किए जो हमारे आर्ट और क्राफ्ट के काम को दुनिया में और मशहूर कर सकें व हम उनको कायम रख सकें।

सर, dignity of labour बहुत बड़ी चीज है। अगर dignity of labour होगी तो किसी को भी कोई काम करने में एहसास-ए-कमतरी नहीं होगा।

They would never feel any inferiority complex when they learn any art and craft, which is pride of our nation, and also keep it as their pride possession.

सर, दूसरी बात मुझे आप से neighbourhood स्कूल्स के बारे में पूछनी है। इस neighbourhood का concept क्या है? यह बात हमारी Standing Committee ने भी आप से पूछी थी। आपने उनकी recommendation मानी या नहीं मानी, यह बात बिल से पता नहीं लगी। I will read the recommendations of the Committee. The Committee, however, would like the inclusion of distance and time for commuting as one of the criteria for the neighbourhood school so that children do not have to commute long distance which may cause exertion. This criteria can be different for plain, mountain region, desert, etc. The Committee, therefore, recommends that the term 'neighbourhood school' should be defined properly. Neighbourhood आप नंबर ऑफ inhabitants पर रखेंगे, सिटीज और गांवों में distance पर रखेंगे जैसे कि स्टेंडिंग कमेटी ने कहा है, आप किस तरह से neighbourhood को define करेंगे? इस के बारे में मंत्री जी कृपया बताइएगा।

Women education के ऊपर आपने भी जोर दिया है, शुरू से जोर दिया गया है। मुझे हैरत होती है, मौलाना साहब न सिर्फ एक पढ़े-लिखे आदमी थे वरन् एक religious leader भी थे। उन्होंने औरतों की एजुकेशन पर बहुत जोर दिया था। आज अलकायदा वाले औरतों को पढ़ाना नहीं चाहते। खुदा का शुक्र है कि वे हमारी बॉर्डर के बाहर हैं, लेकिन कहीं-न-कहीं खतरा लगा ही रहता है।

MR. DEPUTY CHAIRMAN : How much more time would you need because one more Member from your party has also to speak? ...*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: How much time have I taken, Sir?

MR. DEPUTY CHAIRMAN : You have already taken 29 minutes and only another 13 minutes are left for the BJP.

DR. (SHRIMATI) NAJMA A. HEPTULLA: I will just finish. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN : Your party has 13 minutes more but you have one more speaker.

डा. (श्रीमती) नजमा ए. हेपतुल्ला : इस के लिए finances आप कहां से लेकर आएंगे? The Central Advisory Board of Education Report, 2005 estimated that an additional funding of Rs. 3.25 lakh crore to Rs. 4.36 lakh over six years was required.

सर, हमने एजुकेशन के ऊपर "सेस" लगायी। "सेस" का कितना पैसा जमा हुआ, कितना खर्च हुआ? हमारे जो विद्यालय है और हमारा सर्व शिक्षा अभियान का कार्यक्रम है, उस के ऊपर कितना खर्च हुआ? इस मे पैसे की सेंट्रल की कितनी जिम्मेदारी रहेगी और स्टेट की जिम्मेदारी कितनी रहेगी? सर, यह बहुत important है कि आप सेंटर और स्टेट को कैसे पैसा देंगे?

सर, आपने सीटर रिजर्वेशन करने की बात कही है। वहां minority institutions में आप जो कर रहे है, जो आर्टिकल 30 के अंतर्गत आते है, उनका क्या रोल होगा? मेरा ऐसा ख्याल है और यह जो पैसे की बात है, आप ने एक सवाल के जवाब मे 3-4 दिन पहले कहा है कि जो पैसा सेंट्रल से गया था, उसका misappropriation हुआ। कही तो उस पैसे को खा लिया गया, कहीं गबन कर लिया गया और कही पैसा divert कर दिया गया। आप finances पर कैसे control रखेंगे, इसको आप बताएं। करप्शन के ऊपर आप कैसे - क्योंकि State subject होगा। यह राजीव जी के जमाने मे Concurrent subject हुआ, स्टेट से सेंट्रल में आया। अब आप वापिस सेंट्रल से स्टेट मे डाल रहे है। आप क्या कर रहे है, आपने कुछ clarify नही किया है। अभी तीन दिन पहले AICTE के डायरेक्टर embezzlement में बहुत पैसे के साथ पकड़े गए। जब ऐसे हालात हो, लाखों-करोड़ों रुपये - मैंने सौ करोड़ रुपया सुना है, लेकिन आज तक सौ करोड़ इकट्ठा देखा भी नही है कि कितना होता है? उसके बारे में आप क्या करेंगे? मुझे डिप्टी चेयरमैन साहब ने चुप रहने के लिए कह दिया है, जो काम में करती रही...(व्यवधान)...

श्री उपसभापति : जो आप कर रही थी, वही मै कर रहा हूं।

डा. (श्रीमती) नजमा ए. हेपतुल्ला : सर, आप अच्छा कर रहे है। ...**(व्यवधान)**... आप बहुत अच्छा कर रहे है। ...**(व्यवधान)**... सर, आप यह notification कब करेंगे? यह 2002 मे आया है और 2005 मे इसके ऊपर अमल होना था, लेकिन यह नही हुआ। When are you going to notify it because until and unless you notify, it cannot be operative and I seek assurance from the Minister that the Government will frame all the required rules under Section 34 within six months, and, with it in this period Finace Commission will be able to devise the formula for developing Grant-in-aid to States and the Government will notify this Fundamental Right as soon as it is passed by Parliament. सर, यहां मेरे साथ अरुण जेटली जी बैठे हुए है। आप भी बड़े वकील हैं, आप वहां बैठे है। आप चाहे इसे Fundamental Rights मे रखिए या Directive Principles में रखिए, सवाल नीयत का है, Nomenclature का नही है। अगर आप इसे Fundamental Rights मे रखते है और उस Fundamental Right को किसी ने नही माना और इस पर क्या disputes होंगे, क्या इसके बारे में आपने सोचा है? Under Fundamental Rights क्या बच्चे मां-बाप पर मुदकमा दायर करेंगे? क्या सरकार पर करेंगे? क्या स्टेट्स गवर्नमेंट पर करेंगे या टीचर्स पर करेंगे? आपने इसके बारे मे क्या सोचा है? चाहे आप इसे किधर भी रखिए। आप Fundamental Rights मे रखिए, वह तो है ही। मै पैदा हुई हूं तो मै खाना तो खाऊंगी ही। That is my Fundamental Right. केवल Constitution मे इधर से उधर घुमाने से आपकी नीयत की पूर्ति तो नही हो जाती है? अगर आपने इसे Fundamental Right कर दिया तो इसका मतलब यह नही हो गया कि मुझे एजुकेशन मिल ही जाएगी, कोई आसमान से आकर मुझे पढ़ा ही देगा। सवाल यह है कि आप उस Fundamental Right की पूतिर् करने के लिए क्या

करने जा रहे हैं? With these words, I support it with an apprehension, with a lot of riders, which I have spoken before you. We have lot of hopes from you. Even Mrs. Bill Clinton in a meeting in Mumbai at St. Xavier's College, where Aamir Khan was sitting...*(Interruptions)*...

SHRIMATI BRINDA KARAT (West Bengal) : Leave out 'Bill'. Call her 'Hillary'.

DR. (SHRIMATI) NAJMA A. HEPTULLA : Okay, Hillary Clinton. मैंने छोड़ दिया। मैं बिल पर बोल रही हूं, इसलिए "बिल" की याद आ रही है। मतलब, बिल तो याद आ ही जाता है! इस हाउस में हम कुछ भी करें, बिल नहीं छोड़ सकते। चाहे वह महिला का बिल हो जो बिल में चला जाता है या ऐसा बिल हो, जिस पर हम बात करते हैं। Legislation में हमारा काम ही है बिलों पर बात करना। तो उन्होंने भी आपकी बड़ी तारीफ की है, आपको dynamic minister बताया है। हम सब लोगों को आपसे उम्मीद है। डिप्टी चेयरमैन साहब, जब किसी से उम्मीदें बढ़ जाती हैं, उसकी ख्वाहिश उन पर depend करती तो उन सारी उम्मीदों की पूर्ति करना difficult हो जाता है। All our good wishes are with you. I hope you will be able to solve these problems. I hope there will not be many disputes where my Leader of the Opposition will have to take the recourse of going to the court because we want him to sit here in the House, not going to the courts. Thank you very much.

MR. DEPUTY CHAIRMAN: Now, only eight minutes are left for the next speaker, I am just reminding the Members because time is the major factor now.

डा. (श्रीमती) नजमा ए. हेतपुल्ला : सर, आप क्या एजुकेशन पर टाइम की बात करते हैं?

श्री उपसभापति : हम क्या करें? आप ही ने time fix किया है।

SHRI SANTOSH BAGRODIA (Rajasthan): Thank you, Mr. Deputy Chairman, Sir.

I rise to support the Right of Children to Free and Compulsory Education Bill, 2008. I find the Statement of Objects and Reasons extremely meaningful. They are most desirable. Even if it is a bit too late to bring it before the House, I would say that it is never too late for the country. The crucial role of universal elementary education for strengthening the social fabric of democracy through provision of equal opportunities to all has been accepted since inception of our Republic. To achieve this goal, every child has a right to be provided full-time elementary education of satisfactory and equitable quality. The next purpose is, compulsory education casts an obligation on the Government to provide and ensure admission, attendance and completion of elementary education. How is it going to be achieved? I don't know. I am sure, the hon. Minister is an efficient Minister and will be able to find ways to ensure all these things and take steps to make education completely free. No kind of fee or charges or expenses may prevent him or her from pursuing and completing elementary education. Sir, I stick to elementary education, because my predecessor, Najmaji, has covered a very vast subject. She has considerable time at her disposal. But, I am short of time. So, I will not be able to cover all those points. I would say that I will agree with some points that have been raised and on some points I have difference of opinion. Now, this responsibility, according to the Statement of

Objects and Reasons, is not merely the responsibility of schools run or supported by the appropriate Government, but also of schools which are not dependent on Government funds. It is a very important object. I do not know how the hon. Minister will be able to handle this. Equitable quality education is every child's birth right as Madam Najmaji has mentioned and education cannot be taken as a joke. The minds of children are at stake. As she mentioned, in what language should we start the elementary education? She has also mentioned that it has not been taken very seriously. Sir, I will just quote what Pandit Jawaharlal Nehru has said. He said, "No subject is of greater importance than that of education. It is the men and women in the country that make and build a nation and it is education that is supposed to build those men and women." This is the sentiment and this is what our first Prime Minister, Pandit Jawaharlal Nehru, had said. And, the same thing has been further pursued later by late Smt. Indira Gandhi and then, as has been mentioned by Najmaji, by our late Shri Rajiv Gandhi through different schemes in different years and this objective is going on and on. I know we have not been able to achieve as much as we wanted to be. We have not been able to achieve, probably, because in most of the sectors our needs have been much more than what we could achieve. The only thing that we have achieved is population growth. This is the area where there is a great achievement. But, otherwise, in all other aspects of our lives, much more improvement is needed and we have to achieve much more. 1 find a few provisions in this Bill which I would like to mention first. Sir, the hon. Minister is a very prominent lawyer. Still, I don't know whether it is correct Constitutionally. The provision for 25 per cent reservation in private schools for children from economically weaker sections may violate the Constitution. Sir, the 93rd Amendment enables the Government to require private educational institutions to reserve seats for SC/ST and socially and educationally backward classes. This does not include economically weaker groups in the society. I request the hon. Minister to look into this aspect. There is no point of having a law which is not as per the provisions of the Constitution.

The second point is very, very important. The Bill does not exempt the minority institutions.

The Bill of 2000 had explicitly exempted these institutions. But 2008 Bill does not do so. This provision could violate article 30 of the Constitution. This also may have to be looked into. As Najmaji has mentioned, it is good that we want schools; we want education for every child. There is nothing like it. But how to handle it? The Bill specifies that the Central Government and the State Governments will have concurrent responsibility for implementing the Bill. It does not explicitly specify the share of funding that each Government will provide. It leaves this determination to be made by the Central Government, from time to time. It has been noticed that whenever any scheme or anything is concurrently handled by the State Governments and the Central Government and when the finances are to be shared, the State Governments say that they don't have the finances. The result is that even the proportionate fund does not come from the Central Government also. So, that particular State suffers. In fact, a number of schemes, where entire funding was done by the Central Government, had suffered because these were handled by different States in different ways. Here,

when the funding is done by both, the State Government as well as the Central Government, I really don't know whether we would be able to achieve this noble aspect of the Bill. I would like the hon. Minister to look into this and explain to the House and the country as much as possible on this aspect so that we are sure that every child is really, really educated. Now, for example, if we refer to the Budget, the new Budget offers them only 4.15 per cent share of all allocations quota. This is 0.78 per cent less than what it was in 2007-08, and only 0.02 per cent more than what the Budget of 2008-09 had allocated. Is this sufficient attention to 41 per cent of the total population? This education will cover 41 per cent of the total population. With 4.15 per cent, do we have enough funds? I shall come a bit later on what is the situation in other countries. But enough funds and enough resources are a must, either it is for health or it is for education. Most of the countries have got more than 6 per cent. Unless 6 per cent of the GDP is provided for it, we will be having a big problem in achieving our goals. Our funding allocation is about half of that, about 3 per cent. This aspect has also to be looked into.

Sir, it is unfortunate that for everything, even in administrative matters also, the Supreme Court has to come into picture. This is our responsibility. It is not the responsibility of the Supreme Court. The Supreme Court has ruled that the Integrated Child Development Services (ICDS) should be universalised by 2008 to cover all the children of 0-6 age group. But the Budget proposes an increase of only Rs. 361 crores in the ICDS funding. The Plan has projected an estimate of Rs. 45,000 crores, needed for the eleven lakh additional *aanganwadis,* proposed in the Plan. So, according to the Plan, you need eleven lakh additional *aanganwadis.* But the fund provided for the purpose is not good even for 3.5 lakh *aanganwadis.* Then, what is the use of this kind of planning unless it is synchronised with the allocation of funds? We know that we need it, but we do not have the funds. Then, we can make planning with whatever funds we have and whatever resources we have. Shri Narayan Murthy of Infosys has said, "the outlay for health, nutrition, women and children is inadequate." Around 45 per cent of our children are below the age of five and suffer from malnutrition. We cannot afford this kind of a situation. These aspects have to be really synchronised with all the aspects of development of the country. One Department says something else and the other Department says something else. This way, we are not going to really achieve the results we want to achieve. A half-page advertisement appeared in a national daily on 6th July declaring ICDS as a flagship scheme, announcing expansion of ICDS coverage from 10.5 lakh *aanganwadis* to 14 lakh *aanganwadis,* but I said only 3.5 lakhs. This is not really going to help us. We have not been able to tackle even infant mortality. These are all the things which have to be seen when we are talking about universal education, or, elementary education for all. I agree that schemes like the Mid-Day Meal Scheme, which is one of the best schemes of the world today, are of great help. But, still, if you

see the figures, Sir, you will find that in 1991-92, the drop-out rate was about 50 per cent. Even today, the drop-out rate is the same, that is, 50 per cent. I am saying this based on some figures; I can give the references. If I am wrong, I would like to be corrected by the hon. Minister, but this is based on some figures provided by some experts. Sir, out of the total allocation earmarked for children in the Union Budget 2009-10, 71.3 per cent is meant for child education schemes. About 71.3 per cent is a good allocation because out of this less capital available, at least, a large chunk is for education. In 2009-10, the total allocation earmarked for children has increased by Rs.5193 crores. These are, Sir, in absolute terms. There are no visible measures which have been taken for strengthening the ICDS system in the States. We want the ICDS not only at the Centre, but it also has to be developed in the States. But there is no visible action by which this system is being improved. Sir, sector-wise, if we look at the total allocation earmarked for children in the Union Budget, we will find that 71.3 per cent, as I have said, is for education; for health, it is 11.1 per cent; for child development, it is 16.7 per cent and for child protection, it is 0.8 per cent. Unless the children are protected, all these allocations become meaningless. So, the hon. Minister may look into this as to how do we protect the children.

Sir, allocation of food subsidy by the Centre and all the States is nutrition security for the children. As regard this subsidy, in 2004-05, there were allocations of Rs. 23,280 crores and that of the States was Rs.1199 crores. Every year, it has been going down. In 2007-08, the State allocation was only Rs.861 crores. In this situation, the responsibility of the Centre becomes much higher. The Centre's allocation is Rs. 25,696 crores. Why do not we take the full responsibility if the States are not willing to participate in this scheme? At least, we will be sure that every child is getting proper nutrition. Sir. when our hon. Minister was, in the earlier Government, the Minister of Science and Technology and all that, his Committee of Central Advisory Board of Education. ...*(Interruptions)*... I said that ...*(Interruptions)*...

SHRIMATI BRINDA KARAT: 'And all', that is a very big holder;

SHRI SANTOSH BAGRODIA: Sir, the whole problem is this. At this stage, my sisters – I will mention about Najmaji first. She mentioned that she had studied in Urdu up to-Class Xth. After that, she did English and she stood First; she is a Gold Medallist and Doctorate. She has a super intelligence. But that is what is not applicable to most of the children in our country. Sir, most of children are very weak like me. ...*(Interruptions)*... They are very weak like me. Sir, she had mentioned that education should be given in local language. I will like to give here a specific example. I don't know whether I should mention the name of a person, who is a Minister in our Cabinet today.

डा. (श्रीमती) नजमा ए. हेपतुल्ला : मिनिस्टर हैं तो ले सकते हैं।

SHRI SANTOSH BAGRODIA: Let me complete. I know it legally. But I am not talking about it legally. I don't know whether I should mention it. I don't think it would be good to mention the name. But this Minister was campaigning that up to Class VIII only, the education should be given in local language. See the result. What happened, the children did not get any jobs. They were not suitable for any jobs. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Bagrodia, just to remind you, the time allotted to you is ...

SHRI SANTOSH BAGRODIA: Sir, it is 20 minutes. You let me know at the eighteenth minute, I will sit in two minutes.

MR. DEPUTY CHAIRMAN: I am rightly reminding you at the seventeenth minute. So, you have another three minutes.

SHRI SANTOSH BAGRODIA: So, I have three minutes. So, I will take only three minutes. In that case, I will not go into these details. ...*(Interruptions)*...

डा. (श्रीमती) नजमा ए. हेपतुल्ला : सर, क्या मैं एक मिनट में जवाब दूं? मेरा नाम लिया है।

श्री उपसभापति : मत दीजिए। उनका टाइम खराब हो जाएगा।

डा. (श्रीमती) नजमा ए. हेपतुल्ला : उनके हिसाब से नहीं, मेरे हिसाब से दे दीजिए।

श्री उपसभापति : आपका टाइम खराब हो गया है। ...**(व्यवधान)**...

डा. (श्रीमती) नजमा ए. हेपतुल्ला : मेरा नाम लिया है। मैंने कहा कि अंग्रेजी पढ़ाओ, यह थोड़ा ही कहा है कि मत पढ़ाओ। ...**(व्यवधान)**...

SHRI SANTOSH BAGRODIA: So, I will not go into this argument in which language, they should be given education. I would first like to mention about the kind of allocation that we have got. As is said, this particular Bill is good in intention, but the delivery is very difficult. Sir, in literacy and enrolment, I will just mention what is happening all over the world, in Japan, it is 100 per cent; in France, it is 99; in United States, it is 92; in Brazil, it is 95; in Bangladesh, it is 94; in Sri Lanka, it is 97; these are our nearby countries. Even a country like Kenya has got 90 per cent; India has 89 per cent and when I mention the drop-out rates ... *(Interruptions)*...

श्रीमती वृंदा कारत : केरल पर आइए।

श्री संतोष बागड़ोदिया : कृपया मुझे बोल लेने दीजिए। हमें दो-तीन मिनट का टाइम मिला है। मैं आपसे हाथ जोड़कर अनुरोध करता हूं।

श्री उपसभापति : आप इधर देखिए।

श्री संतोष बागड़ोदिया : मुझे discipline मैंटेन करने दीजिए। मैं फटाफट बोल देता हूं।

श्री उपसभापति : आप मेरी तरफ देखिए, वहां क्यों देख रहे हैं?

श्री संतोष बागड़ोदिया : अब मैं किस-किसको देखूं?

श्री उपसभापति : आप सिर्फ मुझे देखिए।

SHRI SANTOSH BAGRODIA: Sir, the dropout rates in 1990-91 for boys was 59.1 per cent and now, in 2004-05, it is 50.4 per cent. For girls, earlier it was 65.1 per cent and now it is 51.3 per cent. What I mean to say, this has not been reduced as much as it should have reduced. That is why we must take necessary steps to see to it that these are monitored properly. The hon. Prime Minister has already put up a special delivery monitoring unit – I compliment him for that – where along with the hon. Minister even the Prime Minister would be involved in monitoring. As I said earlier, the Bill has good intentions, but how do we deliver? Lord Macaulay might have said anything, but it has not worked. We have not changed. We still remain the same. All over the world, wherever we may go, nobody can touch Indian culture. You may relax, my sister, whatever he might have said... *(Interruptions)*... we are now independent and we will continue to be independent. Nobody in the world can touch our culture; our culture will continue. Wherever you go, you take your own food; - you wear your own clothes!

MR. DEPUTY CHAIRMAN: Please, conclude.

SHRI SANTOSH BAGRODIA: Sir, I fully agree with the inclusion of art and craft as a curriculum, but it has to be made lucrative. Unless it is made lucrative, the training in art and craft is not going to help. Lastly, the 'neighbourhood' point has to be defined. I fully support whatever she has said on this. It has to be clearly defined. Sir, in Rajasthan, people have to travel ten to twenty kilometres; in some areas like Barmer, they have to travel even up to 40-50 kilometres; there is no transportation available. If that is called 'neighbourhood', then I do not think we will be able to achieve anything, particularly in a place like Rajasthan. That has to be defined.

Thank you very much, Sir, for giving me this opportunity.

MR. DEPUTY CHAIRMAN: Shri P. Rajeeve. You have 14 minutes.

SHRI P. RAJEEVE (Kerala): Mr. Deputy Chairman Sir, though late, I would like to congratulate the Central Government for presenting this Bill before this august House. The Bill is actually a product of the last UPA Government. The last UPA Government had some specialities; I do not wish to go into the political specialities of the last UPA Government! Nevertheless, I would like to congratulate the hon. Minister for continuing the process.

Sir, right to education has been universally recognized since the universal Declaration of Human Rights in 1948. At the time of framing our Constitution, it was placed only in Part IV of the Constitution under the Directive Principles of State Policy. If we look into the Constituent Assembly debates, we would find that even at that time there were strong arguments to include the right to education as a fundamental right in our Constitution. We had to wait for more than 50 years to make an amendment to the Constitution making education a fundamental right in our Constitution. The Right of Children to Free and Compulsory Education Bill, 2008, seeks to give effect to this cherished goal.

3.00 P.M.

Sir, the right to education is an enabling right. It is entirely different from other rights because education creates the voice through which the right can be claimed and protected. In a historical judgement, the Supreme Court of India, in the Unnikrishnan case, 1993, held that all children up to the age of 14 years have got the fundamental right to education. It was propounded in the judgement that the fundamental right to life enshrined in Article 21 of the Constitution should be read along with the Directive Principles of State Policy in Article 45 to provide free and compulsory education to children aged zero to 14 years, including those below six years. However, the 86th Constitutional Amendment, which incorporated Article 21A into our Constitution, limited the fundamental right to education to 6-14 years, and this Bill has repeated the mistake by not recognizing the importance of pre-school training. This is in contradiction with India's own commitment at the Jomtien Conference, 1990, acknowledging expansion of early childhood care and developmental activities as an integral part of education for all. There is a global recognition that the early years of childhood are very important and crucial years for lifelong development. Some studies on the development of the human brain have shown that neglect during early years can often result in irreversible reduction in the development of the brain's potential. Section 11 has stated, 'the appropriate Government may make necessary arrangements for providing free pre-school education for such children'. The word 'may' has reflected the real intention of the section! It is only a face-saving sentence. This should be re-drafted in a proper way to ensure free pre-schooling to all children as a fundamental right. Now the education structure is totally changed. Minus-2 to plus-2 is the well-known structure of our school system. Normally, there is no other chance for financial assistance for plus-2 studies. India is a signatory to the United Nations Convention on the Rights of Child, which recognises the right to education for everybody up to the age of 18 years. Education for 14-18 age groups can be tailored to provide such skills in the form of education to go for higher education or additional vocational education. So, I request the hon. Minister through you, Sir, to ensure that the free education system contemplated here should cover all schools, from pre-primary school to plus-two stage. I also support the points raised by hon. Najmaji regarding the neighbourhood school system. It should be defined in a proper way.

Sir, this Bill is not clear on financial allocations. Universalisation of primary education remains a mirage till today because the Centre was not ready to bear the burden, of that. The allocation for school education in the current Budget is only Rs.200 crore. If this is the approach, right to education would be a dream unfulfilled. The major liability should be carried by the Central Government. But the provision for this in the finance memorandum stated that 'the Central Government may make a request to the President of India.' I urge the Government to change the way and say, 'the Central Government shall ask the President to make a reference to the Finance Commission to make allocations to State funds needed to implement provisions of this Bill.'

The Saikia Committee has estimated financial requirement of Rs.40,000 crore to bring 6.3 crore out-of-school children into school over a period of three years. However, the expert group constituted by the Government of India on the recommendations of Saikia Committee has estimated that Rs.1,36,000 crore would be required to implement fundamental right to education over a period of ten years. There should be a detailed financial statement for defining the primary and major responsibility of Central Government in this regard. Unless the Government commits that certain minimum expenditure per pupil, say that, of the Kendriya Vidyalayas, the provision of free education will not serve any purpose. If this is not done, it is clear that the Government is interested to provide 'namesake' education to all but good quality education to only elite groups of our country. The cumulative gap building up since Kothari Commission's recommendations in 1966 is to be filled up within the next five years, followed by maintenance of annual educational expenditure at the level of 6 per cent of the GDP.

Regarding financing, I would like to add one more point. Till now the Central Government has been applying the same norms and guidelines to all States without taking into consideration the varied nature of their requirements. In Kerala, access and equity, as far as primary education is concerned, are more or less achieved. But quality is a big problem. So, each State may be allocated with sufficient funds for achieving the objectives contemplated in this Bill.

Sir, we are discussing this Bill in a knowledge-based society or a knowledge-based economy. Enclosure of the treasure by enclosure of the knowledge is a well-known slogan of globalisation. My point of view is entirely different. I am standing for democratisation of knowledge and according to my opinion education should be used for the benefit of common man and entire society. Despite the difference of opinion in this regard, it is a fact that knowledge has played a major role in this era. Article 1(2) of Declaration of 1960 UNESCO Convention is against discrimination in education and it has been clearly stated that there shall be no discrimination in "all types and levels of education including access to education, the standard and quality of education and the conditions under which it is given." This means quality education is not a privilege 'but it is the right of the children.' It is true that under *explanation* (g) to sub-clause (a) of Section 8 states about the meaning of compulsory education as ensuring good quality elementary education to the standards and norms specified in the Schedule. In my point of view, this is not sufficient. The title of the Bill should be changed as the Right of Children to Free, Compulsory and Quality Education. Getting admission and receiving education of equitable quality in the neighbourhood school should be the fundamental right of every child.

[THE VICE-CHAIRMAN, (PROF. P. J. KURIEN, in the Chair]

Right to education Bill fails to define 'equitable quality' unequivocally. Though certain norms are mentioned about the physical infrastructure, yet nothing is said about the learning process. For ensuring quality in education, one provision should be strictly incorporated in the Bill that 'no school shall have norms and standards relating to infrastructure, teachers, pupil-teacher ratio, curriculum and teaching lower than that of Kendriya Vidyalayas, Qualified teachers are a pre-requisite for the

quality of education. Qualifications for appointment and terms and conditions of service of teachers are specifically stated in section 23 of the Bill. But, from a bare reading of the provision itself, it is crystal clear that there are enough loopholes and space for diluting the qualifications. So, I suggest that all the teachers should qualify a national level eligibility test such as NET conducted by UGC. Proper allocation of funds should be made in the Budget itself for conducting teachers training programmes. But, it was shocking that the current Budget allotted only Rs.1 crore for teachers training institutes.

As per the provisions of the Bill, a school needs to have only a minimum of two teachers and two classrooms. At present, usually, primary schools have five grades. If they are accommodated in two classrooms and attended by only two teachers, what will be the quality of education that we can guarantee? The present Bill should have necessary provisions to ensure that there should be a classroom and a teacher for each grade of students. It may be noted that the children belonging to Scheduled Tribes and other vulnerable sections of the society are the students of these multi-grade schools. The parents of these children are not in a position to provide any family support to the education of these children. ...**(Time-Bell)**...

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Only two more minutes.

SHRI P. RAJEEVE: I am going to raise very important point. Please give me five more minutes.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): What can I do?

SHRI P. RAJEEVE: The Bill must strive to work against creating a parallel and discriminatory system of alternative, non formal education, into which are enrolled children from most disadvantaged circumstances, for example, street and working children, and children with disabilities.

All the sections of the society should have a proper representation in the teaching community. So, the reservation principle should be mandatory in all schools which are availing the financial support from appropriate Government agencies. There are some such private schools, but actually, it is public financing, private management schools. This reservation system should be implemented in those schools also.

Section 29 has elaborated on framing of curriculum but failed to stress one important point, that is, the perspective of curriculum should be progressive, secular and democratic. There has to be common content, common method of transaction and evaluation on the lines of National Curriculum Framework, 2005, which has to be followed by all schools in the country. ...**(Time-Bell)**...

Sir, I have one more point regarding private cost of education. Actually, 47 per cent of the expenditure of States and Union Territories is on household expenditure. There should be some provision for stipend and scholarship to meet this private cost of education.

I want to make some more points. This Bill is a law which lacks tooth and the authorities cannot be hauled up in a court of law for violation of the provisions of the Bill. The responsibility of the Government for protecting the rights should be mentioned in this Bill. Under clause 35, in case of complaints against violations by private schools, one must seek the permission of an authorised Government officer. This is dilution of the provisions of the Bill. Clause 36 states provision in case of violation of rights or provisions by an officer occurs in spite of good will and good intentions. This clause is intended to dilute the interest of the Bill.

THE VICE-CHAIRMAN (PROF. P J. KURIEN): One more point only.

SHRI P. RAJEEVE: I would like to raise one more point regarding physically challenged children. This Bill, in a very complicated manner, defines the physically challenged children. It is silent on facilities needed to enable children with disabilities to attend schools such as ramps, Braille readers, etc. In this Bill, the disability has the meaning as assigned in the Persons with Disabilities Act, 1995, which does not include such other disabilities as defined by the National Trust Act, 1999, such as autism and cerebral palsy. It should be incorporated in the Bill in a proper way.

I hope the hon. Minister will look into these points raised by me and take necessary steps to accommodate these points.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): The last point was the best point. Other points were also good.

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): श्री ब्रजभूषण तिवारी। तिवारी जी, आपकी पार्टी के 13 मिनट है और दो स्पीकर्स हैं।

श्री ब्रजभूषण तिवारी (उत्तर प्रदेश) : ठीक है, जितना हो पाएगा, हम उतना पूरा करेंगे।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): आप सात मिनट लीजिए। आपके सहयोगी भी है।

श्री ब्रजभूषण तिवारी : ठीक है, यदि समय बचेगा तो मैं बोलूंगा। उपसभाध्यक्ष जी, यह बिल बहुत ही अच्छा है। इसका जो उद्देश्य इस बिल में दिया गया है, "प्रस्तावित विधान को विश्वास के आधार पर तैयार किया गया है कि समता, सामाजिक न्याय और लोकतांत्रिक मूल्य तथा एक न्यायसंगत और मानवीय समाज का सृजन केवल सभी व्यक्तियों के लिए समावेशी प्राथमिक शिक्षा के उपबंध के माध्यम से ही संभव है", इस विधेयक में यह जो बात कही गई है, मुझे इस पर विश्वास नहीं हो पा रहा है कि क्या इस उद्देश्य को इस विधेयक के जरिए हासिल किया जा सकता है। यह अच्छा विधेयक है और जैसा कि माननीय सदस्यों ने कहा कि संविधान में भी इसका प्रावधान था, डायरेक्टिव प्रिंसिपल फोर स्टेट पॉलिसी में भी बहुत स्पष्ट तौर पर कहा गया है, कई बार इस संबंध में कानून बनाने के भी प्रयास किए गए, परंतु ले-देकर कोई नतीजा नहीं निकला। यह सही है कि हमारे जो माननीय शिक्षा मंत्री हैं, ये बहुत ही उत्साही हैं और शिक्षा में सुधार लाने के लिए बहुत ही जल्दी में भी हैं, मगर यह बिल दो अंतर्विरोधों से ग्रस्त है। एक तरफ तो मंत्री जी इस विधेयक के जरिए हर किसी को शिक्षा का अधिकार देना चाहते हैं, फंडामेंटल राइट के तहत हर बच्चे को पढ़ने का अधिकार है और दूसरी तरफ उन्मुक्त बाजार की बात भी करते हैं। ये कहते हैं कि क्योंकि सरकार के पास इतने साधन उपलब्ध नहीं हैं, इसलिए निजी लोगों को भी स्कूल खोलने की इजाजत हो, विदेशी शिक्षण संस्थाओं को भी देश में संस्थाएं खोलने की अनुमति दी जाए। एक तरफ शिक्षा का अधिकार और

दूसरी तरफ शिक्षा का उन्मुक्त बाजार, ये दोनों बातें एक-दूसरे के अंतर्विरोध में हैं। मैं माननीय मंत्री जी को बताना चाहता हूं कि जो उन्मुक्त बाजार होता है, यह कभी भी गरीब के लिए नहीं होता है। यह बाजार हमेशा ताकतवर और धनी के लिए होता है। इसीलिए आज जो वस्तुस्थिति है, जो जमीनी हकीकत है वह यह है कि हमारी जो प्राथमिक शिक्षा है, यह बहुत ही दयनीय स्थिति में है। आज प्राथमिक शिक्षा में कौन पढ़ता है? जो समाज का निर्धनतम व्यक्ति होता है या अनाथ व्यक्ति होता है, उसी का बच्चा पढ़ता है। प्राथमिक शिक्षा में पढ़ाने वाले अध्यापक भी अपने लड़के को प्राथमिक स्कूल में नहीं पढ़ने देना चाहते हैं। हम सभी लोग प्राइमरी स्कूलों से पढ़कर निकले हैं। पहले प्राइमरी स्कूल में हर वर्ग के लोग पढ़ते थे, परंतु आज यह स्थिति है कि समाज का जो सबसे निर्धनतम, सबसे उपेक्षित, दलित और गरीब व्यक्ति है, प्राइमरी स्कूल में केवल उसी के बच्चे पढ़ते हैं। इसलिए यह जो भेदभाव या गैर बराबरी है, इससे मुझे नहीं लगता कि समावेशी विकास का, समावेशी विकास का जो लक्ष्य हम प्राप्त करना चाहते हैं, हम उसे प्राप्त कर सकते हैं। हम देखते हैं कि दुनिया के जितने भी विकसित देश हैं, अगर उन्होंने तरक्की की है, तो वह तरक्की इसी आधार पर की है कि जो प्राथमिक शिक्षा है, उसे समान रखा है। हम यह बराबर मांग करते रहे हैं कि प्राथमिक शिक्षा समान हो। हमारे नेता डा. राम मनोहर लोहिया, जिनकी हम जन्मशती मनाने जा रहे हैं, वे अक्सर कहा करते थे कि आर्थिक बराबरी हासिल करना कठिन है, सामाजिक बराबरी हासिल करने के लिए भी लंबी लड़ाई लड़नी पड़ेगी, मगर जो दिमागी बराबरी है, हम उसे हासिल कर सकते हैं, अगर प्राथमिक स्तर के विद्यालय एक समान हों, जिसमें गरीब-अमीर का फर्क नहीं हो, जिसमें गरीब का भी बेटा पढ़े और अमीर का भी बेटा पढ़े। जब यह बात कही जाती थी तो जो समाज के ताकतवर लोग थे और निहित स्वार्थ के लोग थे, वे कहते थे लोहिया यहां की अच्छी पढ़ाई को खराब करना चाहते हैं। हम लोगों की मान्यता थी कि दो प्रकार के प्राथमिक विद्यालय नहीं चल सकते हैं। एक तरफ अच्छे विद्यालय अंग्रेजी माध्यम के खर्चीले स्कूल, जहां पर संपन्न लोग, बड़े लोगों के बच्चे पढ़ें और दूसरी तरफ प्राथमिक स्कूल। आज हम उसका नतीजा देख रहे हैं कि प्राथमिक स्कूलों की क्या स्थिति है और जो निजी स्कूल्स हैं, वे किस तरीके से फलते-फूलते चले जा रहे हैं। यह सबसे बड़ी जरूरत है कि आखिर इस भेदभाव को, इस गैर-बराबरी को हम कैसे खत्म कर सकें।

दूसरी बात यह है कि इस समय स्कूल में पढ़ने वाले विद्यार्थियों की संख्या करीब 19 करोड़ है, जिनमें से 4 करोड़ मान्यता प्राप्त निजी स्कूल्स में पढ़ रहे हैं और यह 'शिक्षा का अधिकार' कानून अमल में आ जाए, तो एक करोड़ अतिरिक्त बच्चे निजी स्कूलों में पढ़ने जाएंगे। अब सवाल यह पैदा होता है कि इन 14 करोड़ बच्चों का क्या होगा? कहां से विद्यालय आएंगे? मैं ऐसा मानता हूं कि सरकार के दिमाग में यह बात बैठ गई है कि शिक्षा और स्वास्थ्य सरकार के काम नहीं हैं। सरकार के दिमाग में यह बात बैठ गई है कि सब बच्चों को गुणवत्तापूर्ण समान शिक्षा नहीं दी जा सकती है। इसलिए केवल झुनझुना थमा कर, केवल लम्बी बातें करके, केवल कानून पास करके, हमारा मुंह बन्द करने की कोशिश की जाए, तो इससे कोई नतीजा नहीं निकलता। इसलिए आज आवश्यकता यह है कि हमें इसके बारे में दिमाग साफ करना पड़ेगा।

विश्व बैंक द्वारा सर्व शिक्षा अभियान शुरू किया गया। इसने हमारी व्यवस्थित शिक्षा प्रणाली को और भी नष्ट-भ्रष्ट कर दिया। हमें पैसा मिला, गांवों में भवन तो बन गए, परन्तु प्राथमिक स्कूल के जो अध्यापक हैं, वे नदारद हैं। एक-एक अध्यापक दो-दो, तीन-तीन क्लासों को पढ़ाते हैं। नए अध्यापकों की नियुक्तियां नहीं होतीं। एक पैरा-शिक्षक **(समय की घंटी)** जो शिक्षा मित्र हैं, जो अप्रशिक्षित हैं, पूरे तरीके से पढ़े-लिखे नहीं हैं, अस्थायी और कम वेतन पाते हैं। ऐसे लोगों की वहां नियुक्ति होती है और उससे भी हमारी प्राथमिक शिक्षा का बहुत ही नुकसान होता है।

मान्यवर, इसी के साथ-साथ मैं माध्यम के बारे में भी कहना चाहता हूं। अभी हमारा जो बिल है ...**(व्यवधान)**...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): तिवारी जी, आपकी पार्टी के दूसरे स्पीकर भी हैं, उनके लिए बाकी टाइम है।

श्री ब्रजभूषण तिवारी : महोदय, मुझे अपनी पूरी बात खत्म करने दीजिए, हमारा समय पहले है।

मान्यवर, शिक्षा के माध्यम के बारे में इस विधेयक में यह बात कही गई है, जरा इस पर गौर करिएगा, कि शिक्षा का माध्यम जहां तक साध्य हो, बाल की मातृभाषा होगी। अब यह बड़ी होशियारी की बात कह दी गई है कि जहां तक साध्य हो। इसके मायने कि अंग्रेजी माध्यम के जो तमाम प्राथमिक स्कूल चलते हैं, वे अबाध गति से चलेंगे। हां, जहां गरीब के लिए संभव होगा, वहां मातृभाषा में पढ़ाई होगी। मैं बिल्कुल साफ तौर पर कहना चाहता हूं कि यह देश के लिए और देश की जनता के लिए बहुत बड़ा धोखा है। मैं यहां डा. लोहिया की बात नहीं करना चाहता, मगर मैं यहां महात्मा गांधी को quote करना चाहते हूं। मैं quote करता हूं। कोलकाता में 27 दिसम्बर 1917 को महात्मा गांधी ने कहा, "यदि हम अंग्रेजी के आदी नहीं हो गए होते, तो यह समझाने में हमें देर नहीं लगती कि अंग्रेजी के शिक्षा के माध्यम होने से हमारी बौद्धिक चेतना जीवन से कट कर दूर हो गई है। हम अपनी जनता से अलग हो गए हैं। जाति के सर्वश्रेष्ठ विभागों का विकास रूक गया है **(समय की घंटी)** और जो विचार हमें अंग्रेजी के माध्यम से मिले हैं, उन्हें जनता में फैलाने में हम नाकामयाब रहे हैं। पिछले 60 वर्षों से हमने विचित्र-विचित्र शब्दों को केवल रटना सीखा है। तथ्यपूर्ण ज्ञान पचाने के बदले शब्दों का उच्चारण सीखा है। जो विरासत में हमें अपने बाप-दादों से हासिल हुई, उसके आधार पर नवनिर्माण करने के बदले हमने उस विरासत को भूलना सीखा है।"...(व्यवधान)...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): तिवारी जी कृपा करके आप समाप्त कीजिए।

श्री ब्रजभूषण तिवारी : सर, बस मैं खत्म कर रहा हूं। अब गांधी जी को कोई नहीं याद करता, सब नेहरू को ...**(व्यवधान)**...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): अब मैं क्या करूं। आपके साथी के लिए केवल तीन मिनट बाकी हैं।

श्री ब्रजभूषण तिवारी : मान्यवर, मुझे उनका उद्धरण पूरा कर लेने दीजिए।

THE VICE-CHAIRMAN (PROF. P. J. KURIEN) : Tiwariji, please conclude. I am speaking for your other colleague. He will get only three minutes.

श्री ब्रजभूषण तिवारी : सर, हमें अपनी बात पूरी कर लेने दीजिए। अगर समय मिलेगा, तो उनको समय दीजिएगा। तो मान्यवर मैं कह रहा था, "तथ्यपूर्ण ज्ञान पचाने के बदले शब्दों का उच्चारण सीखा है। जो विरासत में हमें अपने बाप-दादों से हासिल हुई, उसके आधार पर नव-निर्माण करने के बदले हमने उस विरासत को भूलना सीखा है। इस दुर्गति की मिसाल सारी दुनिया के इतिहास में नहीं है। यह तो राष्ट्रीय शोक अथवा ट्रैजेडी का विषय है। आज की पहली और सबसे बड़ी समाज-सेवा यह है कि हम अपनी देशी भाषाओं की ओर मुड़ें और हिन्दी को राष्ट्रभाषा के पद पर प्रतिष्ठित करें। हमें अपनी सभी प्रादेशिक कार्यवाहियां अपनी-अपनी भाषा में चलानी चाहिएं तथा हमारी राष्ट्रीय कार्यवाहियों की भाषा हिन्दी होनी चाहिए।" गांधी जी ने यह बात बहुत पहले कही थी।

दूसरी बात यह है कि आप इसके लिए वित्त अथवा पैसा कहां से देंगे? राज्य सरकारें कहती है कि यह केन्द्र की जिम्मेदारी है और केन्द्र कहता है कि इसमें राज्य और केन्द्र का हिस्सा होना चाहिए, इसलिए इस चीज़ को भी समझना होगा। शिक्षा पर जीडीपी का 6% खर्च करने का वादा हमने कितने दिनों से किया है, लेकिन हम 4% तक भी नहीं पहुंच पाते हैं कि सरकार का दम फूलने लगता है और वे कहते हैं कि हमारे तो हाथ-पांव फूलने लगे हैं। इसका मतलब यह है कि सरकार कम से कम शिक्षा पर भी उतना पैसा खर्च नहीं कर पाती। कितने समय पहले

कोठारी कमिशन की सिफारिश थी कि शिक्षा पर बजट का कम से कम 6% खर्च होना चाहिए। आप शिक्षा पर खर्च नहीं करेंगे और छोटे बच्चों की पढ़ाई को आप केवल बाजार के सहारे छोड़ देंगे, तो आप समावेशीय विकास नहीं कर सकेंगे। इस तरह तो आप केवल विशिष्ट वर्ग आधारित समाज की रचना करेंगे, जो लोकतंत्र और समता के बुनियादी सिद्धांतों के खिलाफ होगा। इसलिए मैं कहना चाहूंगा कि यह जो जमीनी हकीकत है, आपको उसका अहसास करना चाहिए। हम लोग समान शिक्षा की मांग करते रहे हैं और आज भी करते हैं कि जब तक एक प्रकार की प्राथमिक शिक्षा और एक प्रकार के समान स्कूल नहीं होंगे, तब तक इन विधेयकों का कोई मतलब नहीं रहेगा, साथ ही सरकार के ऊंचे-ऊंचे ख्यालों और उनके उद्देश्यों का भी कोई मतलब नहीं रहेगा। इन्हीं शब्दों के साथ मैं अपनी बात खत्म करता हूं, बहुत-बहुत धन्यवाद।

THE VICE-CHAIRMAN (PROF. P. J. KURIEN) : Now, Shri Ganga Charan. You have ten minutes.

SHRI GANGA CHARAN : Sir, fourteen minutes.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN) : No, Ten minutes. That is why I am telling you in advance.

श्री गंगा चरण (उत्तर प्रदेश) : महोदय, मानव संसाधन विकास मंत्री के द्वारा यह जो बिल लाया गया है, मैं इस बिल का समर्थन करता हूं। वैसे तो यह बिल आज से 50 साल पहले आ जाना चाहिए, लेकिन बहुत देरी से आया है, इसके लिए हमें अफसोस है, फिर भी मैं सिब्बल साहब को धन्यवाद देना चाहता हूं कि देर आए दुरुस्त आए।

शिक्षा के क्षेत्र में आज हम दुनिया में बहुत पीछे हैं और शिक्षा के क्षेत्र में पीछे होने के कारण ही आज आर्थिक क्षेत्र में भी हम बहुत पीछे हो गए हैं। मेरे मन में एक सवाल आ रहा है, जिसे मैं सिब्बल साहब से पूछना चाहता हूं कि इस बिल में आपने जो व्यवस्था की है, वह बहुत अच्छी व्यवस्था है, लेकिन माननीय वित्त मंत्री जी ने जो बजट दिया है, क्या उस बजट से आपका जो बिल है और इसके जो प्रावधान हैं, उन्हें आप पूरा कर पाएंगे? उन्होंने शिक्षा पर मात्र 2000 करोड़ रुपये अतिरिक्त बजट दिया है। उसी पर आपको üHigher Education, Technical Education और Primary Education की सारी जरूरतों को पूरा करना है। इस कम बजट के कारण हमारे मन में संदेह पैदा होता है कि आप यह जो "The Right of Children to Free and Compulory Education Bill, 2008" ला रहे हैं, उसकी मंशा को आपका बजट पूरा नहीं कर पाएगा। मैं तिवारी जी की कुछ चीजों से बहुत सहमत हूं कि डा. लोहिया ने शिक्षा के लिए हमेशा 10% बजट की बात की है, यानी टोटल बजट का 10% एजुकेशन पर खर्च होना चाहिए। इसके लिए हम अपना डिफेंस का बजट कम कर सकते हैं, दूसरे बजट कम कर सकते हैं, लेकिन एजुकेशन पर बजट कम नहीं किया जा सकता है। इस बिल के संबंध में मेरे मन में कुछ चीजें संदेह पैदा कर रही हैं। जैसे इस बिल में प्रावधान है कि कहीं भी आस-पास के विद्यालयों में 6 साल से लेकर 14 साल के बच्चे प्रवेश लेना चाहें, तो उन्हें प्रवेश मिलेगा। सर, मैं यह जानना चाहता हूं कि जो निजी स्कूल्स हैं, क्या उनमें भी हमें प्रवेश लेने का अधिकार होगा या जो सरकारी स्कूल हैं, क्या उनका स्टैंडर्ड उन निजी स्कूलों के बराबर होगा? हम डी.पी.एस. के बगल में रहते हैं या उसके बगल की झोपड़पट्टी में रहते हैं, तो क्या हमें डी.पी.एस. में प्रवेश लेने का अधिकार होगा? यदि हम लॉरेंटो कॉन्वेंट के बगल की झोपड़पट्टी में रहते हैं, तो क्या उसमें रहने वाले बच्चों को उसमें प्रवेश लेने का अधिकार होगा? जो सरकारी स्कूल हैं और गांवों के स्कूल हैं, क्या आप उनकी पढ़ाई का स्टैंडर्ड निजी संस्थाओं के पब्लिक

स्कूल्स के बराबर लाएंगे? क्या वहां पर कम्प्यूटर एजुकेशन होगा और वहां इंग्लिश एजुकेशन होगा? इस चीज को भी आपको स्पष्ट करना पड़ेगा।

महोदय, आज उत्तर भारत के लोग या उत्तर भारत के नेता जो पिछड़ गए हैं या उत्तर भारत आज जो पीछे जा रहा है, उसकी सबसे बड़ी कमजोरी मैं यह मानता हूं बुरा न मानें, तिवारी जी – डा. लोहिया का अंग्रेजी-विरोधी आन्दोलन चला था, वे स्वयं तो जर्मनी से पढ़ कर आए, लेकिन आजादी के बाद उन्होंने जो अंग्रेजी-विरोधी आन्दोलन चलाया, तो उसका सबसे बड़ा कारण रहा उत्तर भारत का पिछड़ना। हमारे गांवों में आज भी ...**(व्यवधान)**... मैंने तो आपको इन्टरप्ट नहीं किया था ...**(व्यवधान)**... सर, गांवों के स्कूलों में आज अंग्रेजी नहीं पढ़ाई जाती। गांव के स्कूल से हम पढ़ कर जब शहर में आते हैं, तो हमको ए, बी, सी, डी.. सिखाई जाती है। जो बच्चे कॉन्वेंट के पढ़े होते हैं, वे शुरू से ही ए, बी, सी, डी.. सीखते हैं। इसलिए हमारे गांव के जो बच्चे हैं, वहां पर उनकी रैगिंग होती है, उनको 'देहाती बच्चे', 'मगहिया बच्चे' आदि बोलते हैं।

सर, जायसवाल जी हमारे एक बहुत ही पुराने मित्र हैं। जब वह हिन्दी में बोल रहे थे तब उनसे कहा गया कि नहीं, जब आपसे अंग्रेजी में सवाल किया गया है, तो आप जवाब भी अंग्रेजी में ही दीजिए। शायद हमारे जायसवाल जी भी हिन्दी माध्यम से पढ़े होंगे। उनको अंग्रेजी नहीं आती है, यह तो मैं नहीं कहता हूं, लेकिन वह अंग्रेजी स्पीकिंग नहीं है। बेचारे उत्तर भारत के जो नेता है, उनमें आज भी इंग्लिश स्पीकिंग नहीं है, इसलिए उनकी परफॉरमेंस वीक रहती है और वे अपने को हीनभावना से ग्रसित महसूस करते हैं। हमारे जो तमाम मिनिस्टर्स हैं, वे इंग्लिश बोलना सीख रहे हैं, वे कोशिश कर रहे हैं। हमारे जायसवाल जी ने ओथ तो टाई-वगैरह बांध के ली थी। उन्होंने ओथ इंग्लिश में ली थी, पढ़ कर ली थी। मुझे यह लगता है कि एक-दो दिन उन्होंने औथ पढ़ी होगी, तब वह वहां बोल पाए होंगे। वह बुरा न मानें। मैं जानता हूं, क्योंकि वह मेरे दोस्त रहे हैं, उनकी इंग्लिश स्पीकिंग नहीं है। वहीं सलमान साहब ऑक्सफोर्ड से पढ़ कर आए हैं, लेकिन उन्होंने हिन्दी में ओथ ली। उन्होंने हिन्दी में इसलिए ली कि सब जानते हैं कि सलमान साहब बहुत अच्छी इंग्लिश जानते हैं। आज मैं सिब्बल साहब से कहूंगा कि वह अंग्रेजी को जरूर अनिवार्य करें। अब हम इसके बगैर आगे नहीं बढ़ सकते हैं। हमारा देश इसके बगैर आगे नहीं बढ़ सकता है। हिन्दी हमारी मातृभाषा है। यह हमारी राष्ट्रभाषा है। इसे हमें मां के पेट से सीख कर आते हैं। उसें हम सिखाने की जरूरत नहीं पड़ती है। बंगाल में रहने वाले बंगाली मां के पेट से बंग्ला सीख कर आते हैं, तमिल लोग मां के पेट से तमिल सीख कर आते हैं, पंजाबी लोग अपनी मां के पेट से पंजाबी सीख कर आते हैं। इस प्रकार हमारी जो State languages हैं, regional languages हैं, उन्हें सिखाने की जरूरत नहीं है। लेकिन, इंटरनेशनल मार्केट में या ग्लोबल मार्केट में हमारे बच्चों को कम्पीटीशन फेस करना है, इसलिए हमारे लिए इंग्लिश जरूरी है। आज साउथ इंडिया के जो लीडर्स हैं, वहां के जो बैकवर्ड लोग हैं, वे वहां छा गए हैं, क्योंकि उनकी भाषा अंग्रेजी है। इसीलिए मैं देख रहा हूं कि कांग्रेस पार्टी में उत्तर भारत के लीडर्स की अपेक्षा जो साउथ के लीडर्स हैं, वे अब हावी रहते हैं। ...**(व्यवधान)**... चूंकि उनकी इंग्लिश अच्छी है। वहां ओ.बी.सी. के लोग ज्यूडिशियरी में हैं, यहां नार्थ इंडिया के लोग ज्यूडिशियरी में नहीं हैं। कुरियन साहब जानते हैं, वह भी इसे समझते हैं, क्योंकि वह साउथ के हैं।

हम लोग कैसे बराबरी पर आएं? यह देश कैसे जुड़े? आज मैं कह सकता हूं कि अंग्रेजी – महात्मा गांधी कहते थे कि हिन्दी हम सब को एक सूत्र में जोड़े है, लेकिन आज हिन्दी के नाम पर जो रोज झगड़ा हो जाता है, इससे मुझे नहीं लगता कि हिन्दी हमें एक सूत्र में जोड़े है, मुझे लगता है कि अब अंग्रेजी हमें एक सूत्र में जरूर जोड़ सकती है, यदि अंग्रेजी को हम लोग आज उत्तर भारत में भी – क्योंकि चाहे वे बंगाल के लोग हों, तमिलनाडु के लोग हों या

गुजरात के लोग हों या भारतीय जनता पार्टी के लोग हों, इसके सारे लीडर्स इंग्लिश में बोलते हैं, लेकिन हिन्दी की बात हो तो एकदम से लड़ाई कर लेते हैं, लेकिन जब भी आप लोग प्रेस कांफ्रेंस करते हैं, तो आप यह दिखाते हैं कि हम हिन्दी भाषी नहीं हैं, बल्कि हम भी इंग्लिश में बोलना जानते हैं। सर, इनके लीडर्स का english प्रेम किसी से छिपा नही है। आज reality यही है कि अगर हमें देश को एक रखना है तो हमें अपनी basic education में अंग्रेजी अनिवार्य करनी पड़ेगी। यह मेरा पहला सुझाव है। ...**(समय की घंटी)**... सर, हमारी पार्टी के 14 मिनट्स हैं।

THE VICE-CHAIRMAN (PROF. P. J. KURIEN) : You have only ten minutes. Eight minutes are over.

श्री गंगा चरण: सर, मेरे कुछ सवाल हैं, मैं चाहूंगा कि माननीय मंत्री जी अपने जवाब में उन्हें शामिल करें।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): आप के दो मिनट बाकी हैं। आप को दो मिनट में भाषण खत्म करना है।

श्री गंगा चरण: सर, आज शिक्षा व्यापार बन गयी है और Right to Education का मकसद भी यही है कि शिक्षा व्यापार न बनने पाए, लेकिन सवाल यह है कि आप गरीब-से-गरीब बच्चों को शिक्षा कैसे दिला पाएंगे? सर, देश में 14 करोड़ बच्चे हैं। आप स्लम में रहने वाले बच्चों के लिए कहेंगे कि हम एकल विद्यालय चला रहे हैं। वहां एक टीचर है, भवन नही है, ब्लैक बोर्ड नही है, फर्नीचर नही है, कंप्यूटर नही है और आप कहेंगे कि Right to Education आना चाहिए। सर, मुझे नही लगता कि आप 5 साल में Right to Education के इस बिल को लागू कर पाएंगे। आप वित्त मंत्री जी व प्रधान मंत्री जी से बात करिए। जब इसके लिए बजट बढ़ाएंगे तभी आपका यह सपना साकार हो सकता है। सर, आपने Slumdog Millionaire देखी होगी। उसमें स्लम्स का क्या हाल दिखाया है? आज दिल्ली की स्लम बस्तियों की क्या हालत है? आज हम सड़क पर निकलते है तो देखते हैं कि बच्चों का एक हुजूम छोटे-छोटे बच्चों का, भिखारियों का निकल पड़ता है। आप उनको education कैसे देंगे? क्या आप उनके लिए रोटी, कपड़ा व पुस्तकों की व्यवस्था करने जा रहे हैं? आज बच्चे घर का चूल्हा जलाने का माध्यम बन गए हैं। वे भीख मांगकर लाते हैं, काम करते हैं, आप child labour को रोक नही पा रहे हैं। उसके लिए कानून है, लेकिन आप जहां भी जाइए वहां देखेंगे कि child labour काम कर रही है और घर का चूल्हा बच्चों की मेहनत से ही जल रहा है।

इन सारी चीजों पर आज गंभीरता से विचार करने की जरूरत है। आप उन बच्चों को काम से छुटकारा दिलाकर स्कूल में कैसे ला सकते हैं? पहले आप को उनके लिए भोजन का प्रबंध करना पड़ेगा, कपड़े का प्रबंध करना पड़ेगा, पुस्तकों का प्रबंध करना पड़ेगा और फिर उनके guardians का भी प्रबंध करना पड़ेगा। ये बहुत सारी जिम्मेदारियां आप के ऊपर हैं तभी आपका इस बिल का सपना साकार हो सकेगा। इस बिल को हमारा पूरा समर्थन है, पूरा सहयोग है। इस विषय में पूरा हाउस आप के साथ है, लेकिन बिना बजट के यह संभव नहीं है। ...**(समय की घंटी)**... सर, मेरी पार्टी के 14 मिनट हैं।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): आपकी पार्टी का पूरा समय खत्म हो गया है।

श्री गंगा चरण: सर, मुझे 14 मिनट बताए थे।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): आपकी पार्टी का 10 मिनट का समय है। मैं क्या करूं हरेक पार्टी का टाइम allot है।

श्री गंगा चरण: तो सब से पहले तो आपको इस दोहरी शिक्षा पद्धति को खत्म करना होगा। आज स्टेट्स के अपने-अपने शिक्षा बोर्ड हैं, सी.बी.एस.ई. है, आई.सी.एस.ई. है। मैंने सुना है कि आप इनको खत्म कर के इंडिया में

एक syllabus ला रहे हैं। यह देश को एक करने के लिए बहुत अच्छी बात है। आज देश में आर्थिक विभाजन हो गया है, आर्थिक आरक्षण हो गया है जिस में बड़े आदमियों के बच्चे सी.बी.एस.ई. व आई.सी.एस.सी. में पढ़ेंगे व गरीब आदमी का बच्चा स्टेट बोर्ड मे पढ़ेगा। फिर वह competion फेस नहीं कर पाता है। ये सारे बोर्ड भंग होकर एक syllabus होना चाहिए तभी देश में समान शिक्षा लागू हो सकती है। सर, जब तक देश में समान शिक्षा लागू नही होती तब तक इस Right to Education Bill का कोई मतलब नही है। सर, आज गांवों के झोंपड़ों में रहने वाले आदिवासी क्षेत्रों मे स्कूल की दुर्दशा किसी से छुपी नही है। मै एक ही अनुरोध के साथ अपनी बात समाप्त करता हूं कि समान एजुकेशन हो और शिक्षा का व्यापार खत्म हो। धन्यवाद।

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Okay. Thank you very much. Now, Dr. K. Malaisamy. ...*(Interruptions)*... Dr. K. Malaisamy. You are enjoying the speech! Dr. Sahib, your time is seven minutes.

DR. K. MALAISAMY (Tamil Nadu): Sir, I had a sigh of relief when you came and occupied the Chair! When I hear your comments, I do not know whether my relief is well-founded or ill-found!

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Say only points!

DR. K. MALAISAMY: How many minutes I have been given, Sir?

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Seven minutes.

DR. K. MALAISAMY: What is your considered view, Sir?

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): My personal view has no role here!

DR. K. MALAISAMY: Okay, Sir. Our age-old Indian Constitution, through its Directive Principles of State Policy, has envisaged free and compulsory education to children. It was to be done within ten years. But, unfortunately, even after 60 years, it is yet to happen. The Bill has come only now. Besides the Constitution, the Supreme Court has also come to our rescue and prompted us to do something on this aspect. Some concrete development has taken place by virtue of an amendment making this policy into a fundamental right. In spite of all that, none of the Governments seemed to be very keen to achieve this goal, probably, for want of political will or skill to get it done. Whatever it is, my observation is that it has come belatedly. Though it is the felt-need of the society for long, it has come late. 'Better late than never'. In that sense, I am happy about it.

Secondly, being a subject under the Concurrent List, the object, probably, has been diluted, and that is why one is not very keen on that. Whatever be the reason, it has come too late. Anyway, 'better late than never'.

Before we appreciate the Bill, let us come to the composition of the child population. As rightly stated by some of our colleagues who spoke before me, the children constitute 41 per cent of the total population. Many of the children are street dwelling; they are child labourers; they are working children who earn to supplement the income of the family. They are all living in different difficult situations. Apart from that, the total drop-out is considered to be 53 per cent. So, this is the sum and substance of the composition of the children about whom we are going to talk.

As far as the features of the Bill are concerned, I thought, by virtue of his background as a bureaucrat, by virtue of his background as an eminent lawyer, by virtue of his background as a legislator, ably supported by the Minister of State, that the it would be free from defects and deficiencies. When I look at the broad features, I am happy to note some of the highlights. I concede that. But his contribution in the preparation of the Bill might not have been available because the Bill seems to have been prepared much before he took over as HRD Minister. The Bill envisages free and compulsory education to children, rational deployment of the teachers without regional imbalances, appointment of trained teachers, norms and standards for schools and working days and working hours for teachers and institutions. These are the aspects which this Bill seeks to provide. Then, there are certain prohibitions also. It envisages prohibition of punishment and harassment of the students. The screening of students and parents has been prohibited. Collecting capitation fee has been prohibited. Expulsion and detention of the children have been prohibited. Deployment of teachers for non-educational purpose has been prohibited. If all these prohibitions are invoked, I mean, if they do that, it is subject to penal action.

So, you have divided it into three parts. One is positive, the second is negative and the third is the mandatory provision that all the private schools should necessarily reserve, at least, 25 per cent of the total seats for this purpose. These are all the major features.

Now, coming to the omissions, defects and deficiencies, the Minister for Human Resource Development has rightly said in his Press report and all that this is a national priority. As far as primary education is concerned, as far as this Bill is concerned, he has come out with a version that it is a national priority. But when I read the Budget, the Finance Minister has given the priority not to primary education but to higher education. According to the Finance Minister, it is higher education and, according to the HRD Minister, it is primary education. What I am trying to understand is, what their real priority is. What is the policy of the UPA Government? Are they going to give priority for higher education, or, for primary education? This may be clarified. My second point is, as I mentioned to you, there are various compositions of children. So, they are subject to poverty, deprivation of basic needs, etc. If we look at their composition, some may be working in factories; some of them could be child labour; some of them are under parent care, etc. So, they are spread everywhere. In such a situation, I would like to know whether you will be able to organise the whole group, and bring them under one umbrella for your purpose. That is my point. Thirdly, Sir, health and poverty seem to be the greatest handicap in the implementation of the scheme. As we all know, 38 per cent of the total population is still below-the-poverty-line. Farmers are committing suicides. Sir, 1 don't want to elaborate on it, when you are constantly looking at the time. So, the children, who belong to these poor families and are suffering, have to come out of their homes for this purpose. How can this happen with this 41 per cent of the population? Then, Sir, talking about disparity between Government schools and private schools, whether one likes it or not, disparity is bound to be there. Everybody knows about the quality of education in private institutions and Government

institutions. In such a situation, I would like to know whether you can bridge the disparity between the private institutions and the Government institutions in terms of education. It is another challenge before you. My fourth point is about the norms and standards of schools. You have stated that you are trying to create good infrastructure in schools by way of library, computers, etc. I felt very happy when I went through the Bill. My point is whether you are capable of building these infrastructures, is it possible? Then, Sir, when we look at tribal areas, – in the morning also, there was a question on it – people are scattered around, with ten or fifteen families at one place. Now, how are you going to bring all of them together? No doubt, you have talked of setting up of neighbourhood schools. How many neighbourhood schools can be created? Sir, I want one minute...

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Okay, you take one minute more.

DR. K. MALAISAMY: I want one minute on this particular issue. I was in the Committee of Industry. The Committee was making a study tour, and we happened to go to Andaman & Nicobar Islands. We went into forest areas, and to be honest with you, what we saw was shocking – the Chairman and several Members of the Committee were there was young men and women, walking naked on the lanes. I am sorry to say that this is the plight of these people there. I would like to know whether the tribal children could be brought into the fold, whether it is possible to create infrastructure in tribal areas. Sir, in tribal areas, there is a big assumption that toilets should not be constructed. This is their conviction; this is their sentiment. So, Sir, there are social, cultural and economic problems which the children face, and there is this gender disparity, a wide discrimination amongst girl children.

Then, Sir, coming to 19 crores of our population out of children.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN) : No new points, please.

DR. K. MALAISAMY: Out of 19 crores, 4 crores of children are going to private schools; the rest 15 crores of people have to depend on our Government schools. Now will there be equality among the children who have studied in private schools and Government schools?

Sir, how many minutes more would you give me? I have always co-operated with the Chair. Shall I take one minute or two minutes?

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): You finish in one minute.

DR. K. MALAISAMY: Sir, the early child care, which is an integral part of the scheme, is for children between six and fourteen years of age. Now what are you going to do about children less than six years old? Is it so easy? What I am trying to say is that it is not that easy to implement the scheme. The Bill is good, in theory. In practice, it would be very difficult, Sir. There are umpteen provisions which are not very practicable. Now, you talk about the prevention of the capitation fee. How are you going to prevent it? A number of things are happening. Private tuitions...

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): All right. It is over now.

DR. K. MALAISAMY: Finally, the Bill is short of transparency and accountability and it focuses on very minor issues. Sir, according to me, it is the felt need of the society, though it has come late. Let

us wait and see how it is going to work out and how it is going to be implemented.

...(Interruptions)...

SHRI N. K. SINGH (Bihar): Hon. Vice-Chairman, Sir, let me begin by complementing the Minister of Human Resources Development for the alacrity he has shown in fulfilling his 100 days promise and bringing this Bill to the House so early. Of course, perhaps, in his sincerity to do so, there are serious infirmities which the hon. Minister has overlooked. I have one broad comment and four points to make, Sir.

My one broad comment is this that you will recall that this Bill was introduced in this House and was despatched to the Standing Committee on HRD with a direction from the hon. Chairman that the Standing Committee must report within a stipulated period of just 30 days. The Standing Committee had three sessions, fulfilled its promise and made far-reaching recommendations. I regret to say that although that Standing Committee's Report was introduced in this House on the 18th of February by Shri Janardhan Dwivedi and in the Lok Sabha by Shri Rahul Gandhi, none of those recommendations has been at all effected in the Bill which is before us. Sir, it is a sad reflection on the working of the Standing Committee because they remain the principle arm of parliamentary oversight. And if Standing Committee's recommendations are so grossly overlooked, really, Sir, this is something that does not fill us with any sense of pride. My four important points: first, on finance. The Standing Committee had pointed out that before the Bill is brought to the House the memorandum on financial matters should be settled, namely, the sharing formula between the Centre and the States – currently it is 65:25, Sir –whether that would remain or it would change; the kind of burden sharing in the course of the next five years and adequacy of budgetary provisions, I say this, Sir, because there are, at least, four different estimates. The Draft 83rd Amendment Bill, 1997, calculated Rs. 47,000 crores in five years; the Tapas Majumdar Committee Report of 1999 calculated Rs. 1,36,000 crores; the 93rd Amendment Bill, 2001 calculated Rs. 98,000 crores; the CABE Committee Report, 2005, calculated Rs. 4,36,000 crores over a course of six years. Which of this is accurate? And, considering the fact that the hon. Finance Minister has, in fact, lowered the budgetary provision for *Sarva Shiksha Abhiyan,* I plead to the Minister that the financial arithmetic of this should be reflected more accurately in the Financial Memorandum which is appended to the Bill.

My second point, Sir, relates to learning outcomes. The Bill, Sir, as you know, stipulates that no child will be held up until completion of elementary education, *i.e.* till the 8th standard. Now, this, Sir, as we can see, has serious adverse outcomes as have been brought out in the recent NCERT report that children who complete up to eight years are still remaining illiterate; they are securing exceedingly poor numbers in mathematics, in languages. So, I think that with the view of ensuring that nobody is held back, what does the Bill have to ensure that the outcome of teaching really meets the kind of desired standards? This is not a unique feature to us, Sir. All over the world, for instance, in the United States, there is a Bill called 'No Child Left Behind Act', which while saying the same

thing, stipulates that the children would be graded, records would be kept and some kind of an outcome would be imposed on the schools really as a kind of a consequence of this.

My third point is that the Bill stipulates private schools having 25 per cent mandatory reservations. Whereas my Party, in general, does not oppose reservations for the disadvantaged and for the weaker sections, the calibration of this must be done in a manner which is socially non-disruptive and the phasing of this must be done in a manner which does not really kindle and kill any urge for private investment coming into the sector and is able to foster public-private partnership. Moreover, Sir, the manner of reimbursement of this has been left at the average of Government schools. This is really an unfortunate outcome because the Standing Committee had made, hon. Minister, a very specific recommendation that this reimbursement should be fixed on normative norms by whom, by group of experts, to be determined by the Planning Commission to ensure that the burden of cross-subsidy does really fall on the rest of the 75 per cent in terms of raising the fee.

Sir, my fourth point is about the norms for the schools. Now, differential standards are being applied on norms for schools – for public schools and private schools. Moreover, I think, that in ensuring the teacher-pupil ratio there is no provision in the Bill which improves teaching outcome, teacher training facility and the manner in which this requirement under the Bill will be calibrated with the requirement of filling the number of required teachers within the stipulated three years which the Bill requires.

I will end by saying, Sir, that this Bill really reminds me of the famous saying of "Chamfort on Maxims and Thoughts, in which he said, "Education is construed on two prongs, the prong of morality and the prong of prudence. Morality in order to assist virtue and prudence in order to protect you against the vices of others. In tipping the scale towards morality, you merely produce dupes and martyrs. In tipping the other way, you produce egotistical schemers." It is my contention that the Bill in its present form does not appropriately balance the requirement of morality and prudence. Mr. Minister, time will pass, so will this Bill. But time will tell us that this Bill in its present form does not address the multiple challenges connected to the rights of children for free and compulsory education. Thank you, Sir.

SHRI D. RAJA (Tamil Nadu): Sir, this is a very important Bill. In fact, our country has a number of traditions, both positive and negative. One of the negative traditions that our country has is that education was denied to vast sections of our people in the name of castes, in the name of religion too. We can be proud of our civilization which is 5000 years old, but vast sections of our people were denied to have access to education. After Independence, it took more than 60 years for the Government to think of making education compulsory at primary level, at least, which we are discussing now. Having said that, Sir, I must say this Bill falls short of many things. One may appreciate the intent of the Bill, but when you go into the contents of the Bill, it has many weaknesses which need to be strengthened. Due to constraint of time, I would run through certain

points. This Bill must be routed in the framework of a fully public funded common school system, based on neighbourhood schools from pre-primary to class 12, which will place equal obligations on all categories of schools. Diversity, equality and democratisation being the touchstone; otherwise the claim of right of children to free and compulsory education will remain a claim, and we cannot realise it in real practice.

Now, Sir, the Bill has several chapters. It has got six chapters. In order to help the Minister to go into the issues in concrete terms, I first take up the first chapter. When you discuss schools, I think, all schools must be brought under this Bill. All schools shall be neighbourhood schools with representation of disadvantaged sections, weaker sections, gender and minorities. On Chapter-II, when you discuss the elementary education, it is not merely elementary education.

The Government should think of schooling from pre-school to higher secondary. There, I suggest, in Chapter-II, clause 4, the Minister should apply his mind and the Government should apply its mind that 0-3 years, we need our children provided with nutrition and proper health care. You will have to protect the children. 0-3 is the very sensitive and delicate period. Children should have provisions for nutrition and health care.

Then for the period of 3-6, we need pre-schooling care for children. That is the very important formative period in the life of any human being and all your skills and other aptitudes grow at that point of time. In this very House, I recall our hon. colleague, Swaminathan, who spoke on this issue. When he discussed the food security he meant that children must have food and nutrition. That is an important period.

Then, Sir, 6-12 years, is also very important. Here, the Bill really focuses up to 14 years. I think, this Bill must cover class 1 to higher secondary. I do not know what would be the objective of this Bill if it stops at 14 years. Then, what happens next? This Bill must be a comprehensive one.

Then, coming to Chapter-III, many people talked about education being on the Concurrent List. Both Centre and States have responsibilities in this subject. I am not here going to define what should be the responsibility of the Centre or the States. But, I would like to underline a point. The previous UPA Government made a promise that the Budgetary provisions will be made education up to 6 per cent of the GDP. Here, I think, till now, the spending on education still remains at almost 3 per cent. Here, the elementary education must have priority. I think, one can spend 50 per cent on elementary education, some 25 per cent towards higher secondary, some 25 per cent on higher education. I am not saying that it should be accepted, but I am saying that it can be considered, discussed, on how to distribute the funds on various systems.

4.00 P.M.

Then, Sir, clause 9 talks about norms or standards. I think, all schools must have at least the level of Kendriya Vidyalayas. We should strive for providing the standard or quality of education which is available at the Kendriya Vidyalaya level. Then, Sir, I am going to Chapter-IV. On the neighbourhood schools, it is said that all schools should have a provision of pre-school education and provide for admission to all children in neighbourhood with proportionate representation to all disadvantaged sections. Here, many Members raised the issue of street children, children who are working children who are termed as child labour, how to cover them. Then, Sir, the other thing is, there are many issues which I can go on commenting. But, one issue is the teacher-pupil ratio. The teacher-pupil ratio should undergo some drastic change. With this, I try to conclude, Sir. The teacher-pupil ratio, it should be at least 1:30. At least one teacher per class. We should have a target. It should improve to 1:20 over a period of 6-7 years.

Teachers must be trained and they must have continuous training and equipment. Here the non-educational jobs given to teachers must be defined. Now under the Sarva Shiksha Abhiyan teachers are asked to perform some 30 jobs, which can be called as non-educational jobs. That also should be considered by the Minister. ...**(Time-bell rings)**... Finally, Sir, when you talk about Chapter IV, 12C, it is about reservation. I do not agree with Mr. N.K. Singh when he talked about this because the Bill says, 'to the extent of, at least, 25 per cent of the strength of that class, children belonging to weaker sections and disadvantaged groups.' Here, you will have to define it because 'to the extent' means, it can be 20, it can be 15'. ...**(Time-bell rings)**... You will have to categorically define it and it must be made obligatory because, ...**(Time-bell rings)**... Sir, one last point. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): How many 'lasts'?

SHRI D. RAJA: You please wait for some more time. ...*(Interruptions)*... The Standing Committee has given its report. That report talks about dropouts. In 2005-06, gross enrolment ratio for all children at the elementary stage stood at 94.92 per cent while dropout rate in Class I to VIII was as high as 48.71 per cent, dropout rate among Scheduled Castes children was 55.25 per cent ...**(Time-bell rings)**... For, Scheduled Tribes, it was 62.95 per cent.

THE VICE-CHAIRMA (PROF. P. J. KURIEN): Okay. That is all.

SHRI D. RAJA: It makes very imperative on the part of the Government to make it clear and they must clearly mention the 'disadvantaged' sections. You must clearly mention it. It should go to Scheduled Caste and Scheduled Tribe children then only it will be defined. ...**(Time-bell rings)**... Otherwise, the Bill will fail to solve the problem. Thank you.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Shri Shyam Bengal. Shyamji, I do not know what to do. ...*(Interruptions)*... Shyamji, the position is very difficult. ...*(Interruptions)*... You can speak

for five minutes. ...*(Interruptions)*... I think five minutes will do. ...*(Interruptions)*... Okay.

SHRI SHYAM BENEGAL (Nominated): Thank you, Sir. It is okay. I have just got a couple of points to make, really. I am not going to deal with the lacunae and the various other things about which people, more competent than I, have already spoken about as far as the Bill is concerned. It takes me back to couple of experiences of my own. Thirty-five years ago, I was involved in doing a series of television programmes, learning programmes, extramural learning programmes for children in the SITE programme. You know we had this particular satellite that we had borrowed and there were footprints in our country that were selected for telecast in the year 1975, I remember. At that time, it was felt that we should create some learning programmes for children particularly in those rural areas where they have haraly have any schools. At that time, I created 30 programmes for Chhattisgarh, which were under the UNICEF. These were shown in many villages in that region and the most important thing that happened or that emerged from this were two things, which I remember very vividly. Firstly, when it comes to literacy, when it comes to literate education and when it comes to oral education, oral education is natural, happens to everybody naturally but the only thing about it is that it is limited to the environment of a child in which a child or adult lives in. This, of course, is fine when we think in terms of a purely agrarian society or a purely tribal society because that kind of learning is not only adequate but is probably perfect for those circumstances. But we are talking about a society like ours, which is fast urbanising and on top of it, an industrialising society, obviously, we cannot think in terms of oral education alone. The second thing that we discovered was that the moment you bring literacy to a child, the oral learning valve closes.

The oral learning is a kind of valve and when the learning valve is opened for children for oral learning, the moment you bring literacy into that the oral learning valve closes. So the problem is that a child persists or is made to persist through literacy over a period of time. You will have children – like for instance, at that time in Chhattisgarh I remember, where 80 per cent was the drop-out rate after the first standard and 80 per cent after having done one year of school meant that all these children who had gone to school for one year were made infirm by a very simple thing because they had to learn literacy properly on the one side and on the other hand they themselves had lost the ability to learn from the environment. So, we have this kind of a problem and it is not a problem that has been solved even to this day. It is a serious problem. We have a drop-out rate now of 50 per cent but the fact is we are talking about 50 per cent of these children who have lost the ability to learn. It is not just a question of learning through literacy. They have lost the ability to learn even orally and this, I think, is really the problem and somewhere we need to address this. I think, we have not yet understood the balance between oral and literacy learning, and, I think, one of the things that we can and we should and must do is to use television because television is one area through which you can get to every single small village of this country and we can do it, we have the capability for it and you need that kind of support system for the schools because I know ten years ago, I remember I was making a film in Sagar district in Madhya Pradesh and every little village I went to, children would

be there, there would be no teacher and the children would be there playing around in the school only because they were getting a mid-day meal. Otherwise, they would not have come at all. There were no teachers because teachers would just go to Sagar town to collect their salaries every month. They were not there in the schools and these are real problems and these are problems in many parts of India. The South is a better maybe from the North, but, essentially these are the serious problems we are dealing with. This is a macro thing when you talk to Right to Free Education as a Bill which will become an Act. This is wonderful, but, I do believe that if it has to work, it has to work on a micro level where the problem really is and, I think, unless we address those particular issue we are not going to really resolve anything at all. It will just be a very pionus statement which we will keep on making year after year. We will show wonderful statistics but this would prove nothing. The truth is, that we have to think of what we have by way of resources and how are we going to balance between oral forms of learning and literate forms of learning and not think that people who are literate are educated and people who have learnt orally are illiterates. That is not the comparison at all. It is a comparison between the kind of education we require to face our future or the kind of education we have that will keep us like little frogs in our own little ponds. It really is the difference between these two things, and, I think, if we don't have either it is the worst and that is what is happening to our children today because if we have 50 per cent drop outs it means that 50 per cent of our children are really unable to deal with life itself. That is all I have to say. Thank you very much.

SHRI RAJEEV CHANDRASEKHAR (Karnataka): Sir, I rise to support the objectives of this Bill completely and wholeheartedly.

Sir, like many other Bills that we pass in Parliament, it is yet another Bill that is no doubt driven by good intentions and will clearly entail significant spending, but, I think, it raises more questions than it provides answers to critical issues like education outcomes, financial sharing, delivery of education etc.

Sir, we all accept that this is the single biggest investment we can make for the future of our nation. But there is a need to go beyond the rhetoric and vision into what will make or unmake the goals that we are setting for ourselves and the promises that we are making to our children in this Bill. So, therefore, I will make a few brief points to add to what my hon. Colleagues have already said in Parliament.

Sir, we all accept that despite the work of the Kothari Commission which was appointed in 1964, with broadly the same set of goals, the country has achieved very little of the goals and objectives set out by the Indian Education Commission of the 1960s. Understanding the 'why1 of this will be very important if we are to make this Bill a success on the ground. I look forward to hearing from the hon. Minister, his views on what went wrong in the last 60 years.

Sir, one of the big mistakes we are making is to assume that education is simply about building more schools or bringing private sector into elementary education. That would be, in my humble opinion, naive. The education problem in our country is more about capacity building through the entire education value chain which includes, at the core of it, teachers and faculty as much as school infrastructure – the software and the hardware of education. This Bill seems to focus, predominantly, on the hardware of education *i.e.,* schools.

The biggest crisis facing education in India, in my opinion, is the decline in profession of teaching, both in terms of numbers and in terms of quality. I would urge the Government to focus on this issue in more than passing way, as it has in the Bill so far. What is the total number of teachers required? What kind of capacity for training and developing teachers of tomorrow is the Government envisaging through this Bill? What the Government is going to make teaching an attractive profession for upcoming students? I would like to hear from the hon. Minister his strategy on these issues.

Sir, the second one is the issue of Government school system itself. Somehow, I get the sense that the hon. Minister and the Government's strategy is to use private schools to increase competition and quality in Government schools. Sir, with the greatest respect to this dream, I would say that this is not going to happen as an automatic consequence of private school and investor's entry into elementary education. The Government school system needs top to bottom reform and restructuring, starting with faculty compensation, infrastructure improvement, improvement in facilities and creating a cadre of teachers and principals that can do jobs with sufficient oversight, but with little political interference.

Sir, unless the existing Government school system is invested in, reformed and modernized, it will suffer the fate that it is already suffering *i.e.,* the students are moving to private schools for better quality education. Without fixing the current Government school system, widespread entry of private schools will hasten the demise of the Government schools. If you don't believe this theory, please look around you in other areas like hospitals, airlines, telecom where private sector competition, without preparing the Government entity, do not result in any improved quality or competitiveness on the part of the public entry, rather it hasten its decline into irrelevance.

Sir, finally, there are many more ambiguities with regard to the role of local Government, State and Central Governments in discharging this obligation of universal education which needs clarity and addressing. As we all know, many Bills have been passed by this House that have resulted in increased litigation due to broad interpretative and administrative discretion and grey areas in the draft of legislation itself.

Sir, in conclusion, I request the hon. Minister to address these issues to make the dream of universal education a reality. Otherwise, it will remain an empty promise and make this Bill yet another case of 'when in doubt, legislation. Thank you.

DR. (SHRIMATI) NAJMA A. HEPTULLA : Sir, I have a point of order. Sir, when I was sitting in the Chair, if time allocated for discussion, for example, is 4 hours *i.e.,* 240 minutes, we used to calculate one minute per Member of the House. Suddenly, how come the BJP has got only 41 minutes and other parties have got less time and where 30 minutes have gone? We are giving 30 minutes less time to Members! I have calculated. The staff members were also there. I think there is some mistake in the calculation of time. Sir, four hours means, 47 minutes for the BJP and similar time for the Congress. It is also getting less time. Others are also getting less time. We should think about it. Sir, 30 minutes given for the Minister has to be excluded from the time allocated for the debate. You should look into it.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Najmaji, you have raised a relevant point. What has been done is, 30 minutes, out of the total time allocated to the debate, has been allocated for the Minister for his reply. So, the remaining time has been divided among the parties as per the rules. I would say that your suggestion is noted. I have no objection. It should be considered.

Now, Shri Jois.

SHRI M. RAMA JOIS (Karnataka): Sir, at the outset, I wholeheartedly support this Bill. It is the most important legislation. But, it is unfortunate that the Bill has come up after 58 years of the commencement of the Constitution, though it should have come, as my learned friend has said, 58 years earlier. I congratulate the Government for bringing forward this Bill, at least, now, for it is never too late to improve. In fact, it would have been better if the Bill were titled 'Duty of State to Provide Primary Education', as children cannot enforce their rights. Then, we always hear, in public speeches, the popular saying that children of today will be citizens of tomorrow. That means by mere lapse of time, that is, by attaining 18 years of age they are going to become citizens. But the question is: What type of citizens? If we want good citizens, we can secure this only through good education. Thus, a good primary good education is the very foundation of good education. Earlier, the 'education' was under the Directive Principles of State Policy, under article 45 of the Constitution. It was raised to the level of the Fundamental Rights by the Supreme Court in the case of Unnikrishnan. In fact, I had an opportunity of arguing that case in the Supremg Court. Then, the Bench put me a question, "What is the basis for saying that education is a part of Fundamental Rights?" Then, I quoted a *shloka*, written by Bharithari, who was the king of Ujjain, and later became a saint, in the *Nitishatika,*

विद्या नाम नरस्य रूपमधिकं
प्रच्छनन गुप्तं धनं
विद्या भोगकरी यश सुखकरी
विद्या गुरुणां गुरुः
विद्या बंधु जनो विदेश गमने
विद्या परा देवता
विद्या राजसु पूजित नतुनं
विद्या विहीनः पशुः

I told that it meant, *Vidya* is a special attribute of latent in man. It is a hidden treasure, provides pleasure (it is the teacher of all teachers) a real friend when one goes abroad, it is God-incarnate, honoured by State, not money. A man without education is just like an animal." Basing my arguments on article 21 A said that every citizen has a Right to Personal Liberty, and personal liberty included education. If education is not given to him, he will be just like an animal. It is quoted in the judgement (AIR 1993, S.C. 2178). The Supreme Court said, "What more is necessary to say that education is a Fundamental Right." This judgement was delivered on 8.12.1993. But the Constitution was amended after nine years and article 21 (a) was added through 86th Constitutional Amendment of 2002. Again, this Bill is coming up after six years after the 'education' was added as a Fundamental Right, Earlier, it was in the Part-IV of the Constitution. Another important article has been added in the Constitution in place of earlier article 45, that is, provision for early childhood care and education below the age of 6 years. It says, "The State shall endeavour to provide early childhood care and education to all the children until they complete the age of six years." So, now, from birth to the completion of six years, it is the duty of the State to provide education. This is regarded as 'pre-primary oral education'. It has been in our culture, before a child would go to school, sufficient knowledge about history, environment, geography, arithmetic, names of months, days, seasons, etc. was provided by the parents. But, unfortunately, that entire system is not in existence now. Therefore, something has to be done to provide primary education. In fact, I still remember two *shalokas*, which my father had taught me when I was a boy of just 3 years,

उत्तरं यत्समुद्रस्य
हिमाद्रेश्चैव दक्षिणम्
वषं त्वभारतं नाम
भारती यत्र संतति

"The country that lies to the North of the sea and south of the Himalayas is Bharat and we are all bharatiyas." 'We are one people', this concept itself was a part of education. And, then,

नमस्ते शारदा देवी
काश्मीर पुर वासिनी

त्वमहं प्रार्थये देवी
विद्या दानं च देहिमे।

This used to be the first verse at the time of विद्यारम्बा. It means, "The Sharada Devi, whose abode is Kashmir, should bless me". Like this, the country's unity was also made a part of education. Then, article 51 (j), that is, every citizen should strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher level of endeavour, and achievement was added to the Constitution as part of Fundamental Duties, *vide* Part-IV A. How can a citizen discharge this onerous fundamental duties unless he is given very good education? Therefore, a citizen can discharge his duties only if he is properly educated. According to the 1984

Government of India Report on Education, there were more number of illiterate citizens in India than the total population of the country at the time of Independence. It was 33 crores in 1947. It was more than 33 crores of people who were illiterate by 1994.

Sir, now I come to the language of primary education. I have studied all the Reports of the Committees and Commissions right from 1947 onwards from Koithain Commission Acharya Rama Moorthy Committee and now the Yash Pal Committee. They are all unanimous in saying that primary education must be imparted in the mother tongue of the children. They were all unanimous in that opinion. Mahatama Gandhi said like this as early as in 1928, "We may not without committing national suicide neglect the mother tongue and make English the vehicle of our progress. In no other country do we find the state of things as we do here. We have paid dearly for having learnt all these years everything from medium of English language. We have strayed away from the path of our education." Again, he said, "Whatever I have learnt in Physics, Chemistry, Mathematics in English medium in a period of four years, I would have learnt the same in just one year if the medium was my mother tongue, Gujarati." Then, Rabindranath Tagore, though he himself was a great scholar in English, said, "the language of the children and the language of learning are different only in India, When a student is learning in the foreign language, he will not be able to get control over the subject of learning and he will just memorise the lessons." Mahatma Gandhi said, "Just as breast milk is necessary for a newly-born child, the primary education should be in mother tongue for the children." Then, the Supreme Court has expressed very strongly in a case where some people formed an Association called English Medium Students' Parents Association. They came to the Supreme Court in a writ petetition against the Karnataka Government order which said, "Primary education shall be in mother tongue." And, this is what the Supreme Court said, " All education experts are uniformly of the opinion that people should begin their schooling through the medium of their mother tongue. There is great reason and justice behind this where the tender minds of the children are subjected to an alien medium, the learning process becomes unnatural. It inflicts strain on the children. It makes the entire transaction mechanical. Besides, the educational process becomes artificial. The basic knowledge can easily be imparted through the mother tongue. The introduction of a foreign language can threaten the development of mother tongue." So, these are the opinions of experts like Mahatma Gandhi and Rabindra Nath Tagore and the Supreme Court of India. After all, that now you are bringing forward this Bill, I am glad that in clause 27 of this Bill, there is a specific provision that as far as practicable, primary education shall be imparted in mother tongue. That is the best part of this Bill. ...**(Time-bell)**... As far as the doubt about the implementation of the Bill is concerned, I say that if there is a will, the Bill, will, certainly, be implemented. I am sure with a dynamic Minister like Shri Kapil Sibal, whatever may be the hurdles, the Bill which becomes a law and it will be implemented. The latest Yash Pal Committee Report also says, " the child from its

birth learns the language at home, the mother tongue, speaks with parents, relatives, friends and neighbourers. There is no need to teach singular, plural, or, gender, whatever it is. Everything is learnt by the child on its own, but all this becomes a waste when the child goes to a school where he has to study in some other language." Therefore, this is one of the good provisions of the Bill. As a Judge and a lawyer, wherever I have worked, what I have found is this. If you look at the Forest Officers' office or a Junior Engineer's office, you will find that they are well equipped but if you go to a primary school, you will find that they are a dilapidated structure. There is no furniture. In many cases, children sit on the floor. That is the fate of the primary schools. That is the importance given by all these years and that has been reason for the large number of drop-outs. Mr. Raja has already given the numbers. As far as drop-outs are concerned, I don't want to repeat the same thing. A large number of drop-outs are taking place because of this. I now come to the other very import aspect, *i.e.,* quality of teachers. Sir, I compare teachers to construction workers, national construction workers. As the Supreme Court Justice Mohan has said in one case, "The real nation is built in the school rooms." The quality and qualification of teachers is of utmost importance. The qualification is there. It is said, "He must have passed pre-University or he has a Degree." But what about the other thing, *i.e.,* disqualification? Particularly, at the primary level, the teachers' disqualification must be there that they should not be alcohol addict; they should not be having smoking habits because the children learn more by emulation than instruction. If the teacher is smoking or he is an alcohol addict, then, naturally, it will be followed by children. Therefore, it is particularly - I am not speaking about the other Departments -important that as far as primary school teachers are concerned, disqualification should also be prescribed because first, the students learn character, honesty, etc., from the teacher. ...**(Time-bell)**... Sir, I will take only one or two minutes more. Sir, what is happening in a large number of single-teacher schools is that thousands of posts of teachers are kept vacant. This is the situation in the so-called single-teacher schools. Regarding single-teacher schools, here there is a report in which it is said, "In many countries, teacher absenteeism and attrition remain persistent problem. A 2003 World Bank Study revealed that investigations making random visit to 200 primary schools in India found no teaching activity at all."

Sir, I was Governor in Patna. In Raj Bhavan, there was a primary school run by the Government. For eight classes, there was only one teacher. This is the importance given to the primary education. ...*(Interruptions)*... That was the position of a Government school attached to Raj Bhavan and you can understand the situation elsewhere.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN); Please conclude.

SHRI M. RAMA JOIS: One minute more. Sir, the teachers are not appointed at all. The Government always raises the question of economy in appointment of teachers. I can understand if in a Revenue Office, one or two persons are not there, some other person can do the work. But if

teachers are not there, how can the school be run? But that is all what is happening. Therefore, utmost importance has to be given to primary education because that is the very foundation. Unless you give proper education at the primary level, they cannot pick up at the higher level. These matters should be given utmost importance. As I said, the Bill contains all these provisions. But the question is, it should have financial backing. Mr. N.K. Singh and others have already mentioned regarding financial backing, etc. There may be certain other drawbacks.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): You have taken fourteen minutes in place of nine. Now, please conclude.

SHRI M. RAMA JOIS: Sir, I have already covered most of my points and I have to make only one more small submission. There is the latest report of the Yashpal Committee. I would like to quote para 3.1.2of this report. I may be permitted to quote this. Otherwise, they will say, this was not mentioned. That is why I am referring to para 3.1.2 in which the Yashpal Committee Report, to which Mr. Kapil Sibal also referred recently, says "Care must be taken to honour and respect the child's home language, *i.e.*, mother tongue – he calls it as a home language – because the child would have acquired sufficient knowledge in the home language and that should be continued in the education system." And, there are two types of educational institutions. Sir, I want to make this one point more. There were Government schools. I come from old Mysore State where person started private school. But parents were not prepared to send their children to a private school because they always considered that Government school was the best school; they were being run properly with good teachers. पर यह अब उल्टा हो गया। Now. they say, "Who goes to Government school. When good private are available there. The private schools are increasing who making money. Though the English rule has gone, the slavish mentality has not gone." I am forced to speak in English because our national leaders did not introduce our own language in the educational system when we were studying. I remember a dialogue between Mahatma Gandhi and Jawaharlal Nehru.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Please conclude.

SHRI M. RAMA JOIS: Jawaharlal Nehru said he would introduce Hindi step-by-step; Mahatma Gandhi said, 'यदि करना है तो इसे एकदम से करिए, एक-दो-तीन कर के नहीं।' But we did not immediately change ...**(Time-bell rings)**... and evolve our language policy in that we did not specify as to what is the area for the use of where the regional language and what is the area of the national link language, Hindi etc. We have not earmarked all these areas. The resultant position is utter confusion and now many people think that they cannot survive without English. That is the pitiable situation of our country as far as education is and have note policy are concerned. There should be thorough reforms. Primary education must be strengthened.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Hon. Members, this is a very important Bill. Unfortunately, the time allotted is only four hours and quite a large number of Members are yet to

speak. Unless you stick to the time-limit, it would take a lot of time. A large number of speakers are there.

DR. K. KESHAVA RAO (Andhra Pradesh) : It should have been more than four hours.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN) : It should have been. Yes. I agree. ...*(Interruptions)*... That is correct. Now, Dr. Keshava Rao. Doctor saab, take only fifteen minutes.

DR. K. KESHAVA RAO : Sir, actually, I was recommending it to you that we must go back to BAC and ask them to give us more time because as you have yourself said from the Chair, it is an important Bill. Anyway, I shall not take much time.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Still, please, take only 15 minutes.

DR. K. KESHAVA RAO: All right, Sir. Having been invited at this stage of the debate, when all the people have spoken about various issues, I don't think there is much left to me but nonetheless, I shall confine only to the principles and the philosophy behind what my friends have said. I would like to take Mr. Shyam Benegal first. It has always been discussed but let me tell you, Sir, perhaps, education is the only subject under the Sun about which everything, sense and nonsense, has been spoken by everybody – father is an expert; son is an expert; student is an expert; neighbour is an expert; everybody is an expert in education. There are a lot of educationists here; there are a lot of academicians here; and there might be a few unfortunate people like me who have handled the portfolio of education for long, longer than perhaps necessary. And none of us has ever addressed any issue about academics except Service transfers, salary payments and those sort of things. So, education really needs some kind of a focus. But education is something which everybody has been talking about. Now, I shall go to Shrimati Najma Heptullah; she has talked about knowledge-based education. The same thing has been talked about by Shri Jois. Now, you had comprehensive and integrated personality to be built up. I am not trying to quote Vivekananda and say, look, after all, the latent thing has to be brought out; it has to be mid-wifery. Whatever it is; other than mid-wifery there also has to be something more. Now, Mr. Shyam Benegal has made a very important point, that is, the oral and literacy. Now, we have been fighting on this point for long. While he has spoken about this, I would like to take him to the other experience of all of us. We had two schooling systems in this country. One is the school where Mr. Kapil Sibal wants us to go; another is what Shyam Benegal controls. While in my book I am told that I must speak the truth, while I am told that I should do this and I should do that and respect my parents and so on, there is another school that is known as cinema. He referred to only the TV, but I am referring to cinema. You sit for three and a half hours. Any person who has a baby, a girl, and is a smuggler, a villain, is now elevated to a style where, for two and half hours, he becomes the hero of every youth and adolescent, adolescent in the maladjustment stage. So much so, that in the last one sentence, if at all that boy is able to take care, he repents and the hero comes into the picture. Now, we have all the schools with all the money that is being spent, money to the tune of Rs.34,000 crores, but we have the other system in the hands of the few who can as well challenge you. Now, these things are going on. So, when Najma Heptullaji

and other hon. Members raise the issue as to what exactly it should mean, we must differentiate between the oral knowledge and literacy. Sir, let me say one thing whether it is good or bad, because N.K. Singh sahib had brought in all the infirmities and a few issues which should be looked into by the Minister, as far as this Bill is concerned. Mr. N.K. Singh *saheb* has brought in all the infirmities. I would say 'infirmities'. Still there are few issues which will be looked into by the hon. Minister as far as this Bill is concerned. He has brought in four points plus another oversight point. I would not repeat them. But where there is necessity, I would only highlight them. Mr. Bagrodia has given all the figures – the budgetary figures and allocations from the day one to this day. Although I have got all the right, but I thought I would be only speaking on the kind of hypocrisy that we have and the kind of absolutely dual personality that we have developed over education. Now, what exactly is the education that we are talking about? I am not trying to go into education canvas and all that. I would say, today we are talking over the greatest thing. If destiny had any meaning, this is the tryst with sentiments and happy tryst wherein we would like to take all the children to some system known as education and try to see that they transform themselves from that type of environmental condition to what is futuristic. That is what we exactly meant with this.

Mr. Raja wanted to say something about 0 to 3 and 3 to 6. So far as 0 to 3 and 3 to 6 are concerned, ICDS is looking into that. That is the primary education. What this Bill is trying to attempt or address is a fundamental right or a legal right that should be given to children who are born here. Be it a rich man or a poor man, he has a right to go and have an education. That is what we are trying to achieve. About infirmities I would talk later on. This Bill refers to age and language. The Bill says, 'As far as possible, the primary education shall be in the mother tongue.' I don't know what 'as far as possible' connotes. When you talk to me, first of all, I listen to you in your language, the language you speak and try to understand it in my language, or, to understand it, or, assimilate it in two languages – one what you spoke and the language that I understand, then assimilate it, and then reproduce it in a language that you are trying to teach me without my grammar and all blundering contents. Let me submit, Sir, that language is a concept. Unfortunately, we have made language an issue, a subject. It is a concept. It is a cultural concept. If somebody says in London that Mr. Shyam Benegal is a good boy, people think that he is alert, he has etiquettes, he is punctual, he respects and bows down to people and he knows how to conduct himself. If you say the same thing in India, that means he is truthful, he cares for his mother, he respects elders and he is God-fearing. So, there is entire difference from A to Z. We have not understood that culture that he represents. All that we are trying to talk about is language. And then at what age? You said that it is a particular age when a boy is trying to transform himself. If that is the age when he does not understand the language which he is supposed to understand and try to assimilate it and reproduce it in other language, what would happen to language? Mahatma Gandhi said, as you have just now quoted, "Four years I took to understand Science and Mathematics. Had it been in my own Gujarati I

could have understood it in one year." I am telling you that it is true. I have been a teacher, I have been a lecturer, I have been an academician and I have been holding the portfolio of education, and I am telling you that that is true. I have been associated with most of the committees right from Kothari Commission. As you have said, Kothari Commission said, "the nation is re-building the classrooms." He did not mean the blackboard, he did not mean the soulless desks that lie before the students and he did not talk about the chalk. He talked of human element as a teacher who is there. He did not try to talk about the brick and the mortar that made the classroom. He talked about the love that was to build in; but that we have forgotten.

Today, coming down to Bill that I thought we would be able to discuss when the Demands for Grants were here, but, unfortunately, the Demands are being guillotined here and the Bill has come. Before I take up the Bill, I would like to raise one thing. It is a very serious issue which has already been raised. I am joining my colleagues here. What exactly is the Standing Committee's job? When we thought of a standing committee, we thought of it as not only oversight committee, but as a mini parliament. Because we don't have time so, in Committees, we go and discuss things among ourselves; we call the experts and know from them what exactly we need to be told and explain our stand. Thus they try to marry the two – one is the people's version and another is the technical difficulties. One is the people's version. The other aspect is the technical difficulties. Then, how does the Standing Committee comes with these reports? Is the Standing Committee thrown out? Is the Standing Committee has given you 21 recommendations in the report that you have which you have discussed? I think, they even asked the Chairman for extension of time. That has not been taken care as Mr. N.K. Singh said. It hurts us. It is not because we are Members of the Standing Committee, but we are dealing with a subject which touches something like 20 crore people in that age group. Now, Shri Santosh Bagrodia stated some figures about dropout rates. I am not disputing his figures that dropout rates have come down. Sir, let me tell you that there are two-three types of figures. The World Bank gives one figure. The Minister gives the other figure. The NGOs give some other figures. And, the NCERT gives other figures. So, let us not really bother about these figures, and it is true also. The dropout figures, which you are trying to object to, up to fifth standard, it is 32 per cent. The Government has agreed to 28 per cent. All right, some kind of neighbourhood is there. Now, up to seventh standard, one study says that is 68 per cent, although we are saying that it is 48.7 per cent. Please, look into that. And, why are these dropout rates? Regarding appointment of teachers, through you, Sir, I would like to draw the attention of the hon. Minister to one important clause of the Bill which says that appointment of teachers will be done by the Central Government. What are the requirements in Srikakulam district of Andhra Pradesh State? Unity does not mean uniformity. The educational needs of our people in hilly areas, the educational needs of people in tribal areas, the educational needs of people in plain areas are different from that of those living in Kashmir. This has been said not once but many times. Mr. Vice-Chairman, Sir, through you, I would like to beg and submit to hon. Minister, it has been said umpteen times by almost all the Committees. That is why, education is a State subject. It comes to Concurrent List where you want

to maintain some kind of unity, uniformity and coordination. This coordination is being stretched to a level where you want to appoint a teacher for a school in Jharkhand. A tribal lady in Jharkhand is to be told as to who will teach her. And, you will tell them what will be the qualification of a teacher. Quite possible that a particular school in Jharkhand does not require A,B,C to be taught as literacy. It wants something else to be taught which prepares a ground for them to understand A,B,C. Education is a step-wise evolution. So, this aspect must be understood by the Government. All these things have already been discussed by educational experts. Now, coming to the Bill, he has referred to only four points. Reviewing your fourth point, I would like to tell what is happening about the teachers. Sir, he mentioned about curricula, I just don't know what this National Curriculum Framework is. I have also objected to this in the Standing Committee, What is this National Curriculum? You have been talking about Europe; you have been taking the example of Japan and America. It is all right when it comes to graduation and post-graduation level. But, at matriculation level, or less than matriculation, or upper primary, what is needed is personality development, the assimilation of the knowledge, assimilation of, as Mr. Shyam Benegal said, the environment in which we live, and our responses towards it, and the society's response to your responses. These are the two main criteria which can only be implemented when you totally de-link, de-couple your entire educational sphere and educational philosophy from that. Now, former U.G.C. Chairman, Prof. Yashpal, gave a report. I am not trying to dispute him or join issue with him at this stage. Now, somebody just now said we give priority to higher education. Because the Bill is before us, we are giving priority to primary education. But, let me tell you, if it was in my hand, I would have had put an end to everything, put a big full stop to everything. Let the primary education, the secondary education, this basic education be given to everybody and they become responsive enough to future's challenges. Then, I get up to your bigger challenges of the professions, bigger challenges of technology and other things. What exactly the FICCI has said. The FICCI said that there would be something like 4.7 lakh direct appointments through the IT companies. It is all right in the foreign trade, foreign mercantile; you have more people. Few of you can speak English and can stay in those houses, but please don't penalise us for that and ask us to go through the curricula and the subjects that we should read. That is why, I am trying to tell you that there is a lot of difference.

Coming to the Bill, I have not understood the Section 2. I am mixing up all the things because of lack of time. Mr. Minister may please excuse me for jumping from one issue to the other. Sir, coming to private schools, kindly look into clause 2(n), if you are asking them to go by your own norms, that you have given, it will stand the scrutiny of the law because clause 13 is also there, which comes to the picture, and, this will be looked into. ...**(Time-bell)**...

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Dr. Rao, the time is over. Please. ...*(Interruptions)*...

DR. K. KESHAVA RAO : Sir, we are talking about the quantity. We are trying expansions. I believe, this morning, and, I stand to be corrected if it is not so, the Minister seems to have said, we will have three thousand neighbouring schools. What is this three thousand? I have not understood. Today, we have something like nearly one crore schools all over the country for something like 18.24 lakh school habitats. If the figure of 3,000 is true, then, I think, it is too meagre and it makes no sense as far as this Bill is concerned.

Now, what exactly we must welcome is that this is the first Government which has accepted that it is the responsibility of the State to educate a boy or a girl, to care for a boy or a girl. According to me, education here is to care for a boy or a girl, take him or her along with you so that he or she has a big canvass, vision and he or she can walk alone. For that, you require quality.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Please. ...*(Interruptions)*... There are three more speakers from your party.

DR. K. KESHAVA RAO: Sir, I will take only a minute more. Sir, take for example the geography book that is taught to us only at class third. We get dropped out at the eighth class. First chapter says that the earth is round. For a person who is getting dropped out, whether it is round or flat, what difference does it make? Friedman says, 'the brain power'. The second chapter says about the longitudes, which neither you nor I have seen. But this chapter runs into four pages. Next chapter says, the world is divided into six continents. Whether it is six or twelve, what difference does it make to me, Sir? Fourth chapter starts with Europe, what is there in Liverpool; what does Eskimos wear; what can be grown; and, you will have all those things. Coming to Australia, you will know as to how the sheep are bred. Then comes Canada to tell you about the wheat which is there. So, all over the world, what can be produced, what is the weather, what is the climate, will be taught. Then it mentions Asia in the last chapter. Only if the time is left, the teacher would take it up. Sir, even in Asia, India is the last lesson. ...**(Time-bell)**... In India, your State is not there. Even if it is there, it will not come up at all because 230 days are over. Even if it comes up, what can be grown or produced in your village has not been taught. When this is not being taught, of what use it would be for me, Sir. You can understand.

So, firstly, Sir, please look into the needs of the boy, needs of the society in which you live, and, secondly, please see that when you are appointing teachers, it need not be your authority from Delhi or some other State. Why not let the school appoint its own teachers. As far as community schools .are concerned–actually, I experimented with this – I said, let the local authorities or communities appoint, and, automatically, that man is there. So, these are few points. As you said, it is an important subject. I cannot take up in the plate all the things at the breakfast time but nonetheless it

requires for you to understand it because education is not talking about 34 clauses that you have brought in, or, something which you think that we have discussed it like a great policy in the Standing Committee. It requires an incisive insight by you. You have some kind of committee. But I would still require that whatever be the Expert Committee – the people sitting here know the people - you call a meeting of the Members of Parliament and let there be a two-three days' seminar and discuss all the things. Thank you very much.

श्री महेन्द्र मोहन (उत्तर प्रदेश) : उपसभाध्यक्ष महोदय, सर्वप्रथम मैं माननीय मंत्री, श्री कपिल सिब्बल जी को इस बात के लिए बधाई देना चाहूंगा कि वे बालकों का निःशुल्क और अनिवार्य शिक्षा अधिकार विधेयक, 2008 लाए है। कम से कम आजादी के 60 सालों के बाद सरकार की समझ में यह बात आई कि ऐसा विधेयक होना चाहिए और उसमें ये व्यवस्थाएं होनी चाहिए। यदि ये व्यवस्थाएं पहले हुई होतीं, तो आज हमारे देश की स्थिति दूसरी होती और भारत का स्थान दूसरे स्थानों पर होता। इस विधेयक के जो उद्देश्य हैं, वे बहुत अच्छे हैं - समता, सामाजिक न्याय, लोकतांत्रिक मूल्य, न्यायसंगत एवं मानवीय समाज का सृजन, ये सब उद्देश्य हैं, लेकिन हमारे माननीय मंत्री जी जो चाहते हैं, क्या उस तरीके की व्यवस्था हमारे यहां है, क्या हमारे यहां उतने स्कूल है, जहां पर हम ये व्यवस्थाएं कर सकें, अपने यहां के सारे बच्चों को प्राईमरी एजुकेशन दे सकें? यह बहुत अच्छा सुझाव है कि प्राईमरी एजुकेशन अपनी मातृभाषा में ही होनी चाहिए। इसके साथ ही साथ यह देखना होगा कि हम किस प्रकार से अपनी एजुकेशन को आगे बढ़ाने के लिए इस क्षेत्र में private investments को लाएं। जब तक और ज्यादा स्कूल नहीं बनेंगे, तब तक स्कूलों के अंदर शिक्षकों और विद्यार्थियों का रेशियो ठीक नही होगा। मैं समझता हूं कि किसी भी विद्यालय में 25 बच्चों के ऊपर एक शिक्षक होना चाहिए, तभी उसे सही शिक्षा दी जा सकती है। अगर इससे अधिक विद्यार्थी होते हैं, तो सही शिक्षा नही दी जा सकती है। करप्शन की जो हालत है, व्यक्तिगत investment के द्वारा जो विद्यालय खोले जाते हैं, उनको परमीशन लेने के लिए कितनी कठिनाइयों का सामना करना पड़ता है, उस ओर मंत्री जी को ध्यान देना होगा। इसके अलावा हमें इस ओर भी ध्यान देना होगा कि जो हमारे सरकारी स्कूल हैं, उनकी क्वालिटी ऑफ एजुकेशन क्या है? जैसे कि मुझसे पहले बहुत से साथी वक्ताओं ने ये चीजें कही कि वहां क्वालिटी ऑफ एजुकेशन बहुत खराब है, अब लोग अपने बच्चों को सरकारी स्कूलों में नही, बल्कि प्राइवेट स्कूलों में भेजना चाहते है। हमें अपने सरकारी स्कूलों को इस तरह का बनाना पड़ेगा, ताकि लोग यह चाहें कि उनके बच्चे सरकारी स्कूलों में जाएं।

उपसभाध्यक्ष जी, नेबरहुड स्कूल का विचार बहुत अच्छा है, लेकिन नेबरहुड स्कूल के लिए यह आवश्यक है कि हर क्षेत्र में और हर सीमा में स्कूल खोले जाएं। इसके साथ-साथ मैं एक बात और कहना चाहूंगा कि गवर्नमेंट की यह पॉलिसी है कि जो non-aided schools हैं, वहां पर ये 25 परसेंट का रिज़र्वेशन लाना चाहते हैं, अगर वे ऐसा करेंगे, तो शिक्षा को और पीछे ले जाएंगे, शिक्षा को आगे नहीं बढ़ा पाएंगे, क्योंकि वहां पर वे 25 परसेंट बच्चे निःशुल्क पढ़ेंगे और उनका burden या तो बाकी 75 परसेंट बच्चों पर पड़ेगा या फिर उसमें लोग आएंगे नही और स्कूलों को नही खोलेंगे। रिज़र्वेशन बहुत अच्छी चीज है, बच्चों को रिज़र्वेशन दिया जाना चाहिए, हरेक को शिक्षा का अधिकार मिलना चाहिए, लेकिन इसके लिए ऐसी व्यवस्था बनाई जाए कि अच्छे स्कूल हों, अच्छे टीचर्स हों और टीचर्स की ट्रेनिंग की भी व्यवस्था की जाए।

उपसभाध्यक्ष महोदय, मैं आपका आभारी हूं कि आपने मुझे इस बिल पर बोलने के लिए समय दिया और मैंने कोशिश की कि मैं उसी समय में अपनी बात पूरी करूं। धन्यवाद।

THE VICE-CHAIRMAN (PROF. P J. KURIEN): Shrimati Shobhana Bhartia, Dr. Kapila Vatsyayan has an appointment with the Prime Minister. She has requested to speak early. So let her speak now. I will call you after her.

DR. (SHRIMATI) KAPILA VATSYAYAN (Nominated): Sir, this bench has been called 'the mute wisdom bench.' As I heard all my colleagues speaking, I was speechless.

This Bill is very important and I think we need more time to discuss it. I have four points. I don't write, but I wrote seven pages.

(MR. DEPUTY CHAIRMAN in the Chair)

Let me begin with history. History is not only Mahatma Gandhi. History goes back to Wood's Report of 1861, the Hunter Commission's Report of 1886, Mahatma Gandhi's *Hind Swaraj* of 1909, Tagore's speech of 1909, Arobindo's Uttarpara speech of 1906, and then Independent India's Reports of the Radhakrishnan Commission, the Mudaliar Commission, and the Kothari Commission, and the NPE. Each of these Commissions has recommended three important things, not the Hunter Commission which wanted European knowledge to come here. One of them is 'character-building.' Second is 'value.' What kind of a future generation do we want? A generation of Indians who will be rooted, as Gandhiji said, both in India and the world. And that can only happen if we take cognizance of everything that has happened in educational pedagogy over the last 60 years. देर आयद दुरुस्त आयद, वह तो सब ठीक है, लेकिन आज देर आए, दुरुस्त आए, तो क्या आए? There are multiple intelligences. As Shyam has said, oral learning and literacy have to be brought together. There is a vast fund of oral knowledge in this country and I urge upon you to read one article, the article of A.K. Kumaraswamy which talks about the bugbear of literacy and education.

Then, there is the question in terms of how will we take the great human resource that we have in our communities. All these three leaders said that education is for the individual; it is for the community and the world. How do you bring the community into the schools? We have failed. I have been a cog in the wheel for many decades. Sir, I don't speak as someone who is just giving a speech. I have heard this with pain and agony. I have heard this because we have failed. I have heard this because I also recommended this Bill. But, it will have a very rocky part. I have sat there and I know what it means to implement this Bill.

Sir, questions regarding language have been raised. We are genetically a multilingual country. Why are we making this into either a unique, lingual or a prioritised language? We all speak four languages. We all can communicate in multiple languages. There is no question of prioritisation of one language or the other. And finally, Sir, a group of educationists sent a petition to the Standing Committee. This was considered in two days and seven hours in the IIC and cognizance may have been taken of those recommendations. That is all. I have much more to say on the details of this Bill. But, there is no time because we are regulated by the calendar time for matters which are of value. What kind of a citizen do we want for the future? Do we want people only speaking ungrammatical English at the end of 20 years? Do we want Indians rooted and yet able to grasp the world on their own terms and with their own civilisation? Thank you, Mr. Deputy Chairman.

5.00 P.M.

SHRIMATI SHOBHANA BHARTIA (Nominated): Sir, the Right to Education Bill has had a long journey and is a historic legislation. The enactment of a law making the right to education a Fundamental Right has become necessary in view of the fact that the goal of universal elementary education eludes us despite it being a Directive Principle for over half a decade. But, there is no better time than this for us to enact such a Bill as India is poised to take advantage of its demographic dividends. But, Sir, while I praise the Minister for introducing this Bill and to do so, so soon, I would like to urge upon him that we all want to make a few suggestions. Do not lose this opportunity and just get numbers. We need to create minds if India has to become a knowledge economy.

Sir, to my mind, the Bill is over-skewed and focusses too much on enrolment as opposed to quality of education and the basic minimum standards that are required. Any legislation that does not accord importance to learning outcomes, to my mind, remains slightly incomplete. Thus, this approach of input as opposed to the outcome is bound to actually slip into a vicious cycle that leads to the dropout rate, increasing it at every successive level like, from the primary level to the secondary level. So, by the time, you actually turn out as graduates, Sir, it becomes abysmally small number and even there, only a handful of them are actually employable. So, the Bill has to address the twin problems of low quality of education and the high dropout rate which have plagued our country for the last many, many decades. In this context, Sir, there are three important issues that I would urge upon the Minister to consider the basic minimum qualification for teachers, the desired learning levels for students and the benchmarking of schools on the basis of quality. Sir, there is a very useful study that was conducted by McKenzie for the American system of education which actually quantifies the academic learning gap.

And it says that the lack of productivity and innovation due to this learning gap is actually translating into 16 per cent of their GDP. Sir, America is the highest spending country in terms of per capita on education yet it ranks twenty-five. The lesson in that for us is that it is not only money, and it is not only availability that matters, it is a quality of education that matters.

Sir, the next point is that whereas the Bill actually focuses on the student-teacher ratio and in terms of the requirements of infrastructure, it remains silent in terms of the most important thing, and that is the basic teacher requirement. What are the minimum standards that we expect from teachers? What are the qualifications? Even there, the Central Government and its appropriate authorities have the flexibility to keep changing the requirements that we need from teachers. This low grade turnout of teachers which even UNESCO says today only 20-25 per cent of the teachers are actually fit to teach, these teachers are not given any in-house training and the result is that the learning of students in the Government primary schools is abysmally low. More than 50 per cent of the students cannotperform a simple mathematical solution; they cannot read a simple paragraph; a

lot of this comes with sheer indifference and the paltry salaries that are paid to these teachers.

Sir, another point that I wanted to flag with the non. Minister was that the Bill also makes it mandatory for non-Government schools to gain a certificate from the Government which actually means putting a lot more power in the hands of many bureaucrats which will become a tool for harassing schools. In a country like ours where we need to encourage the best and the brightest, any number of learning institutions, to my mind, is inadequate. On the other hand, there are no penalties for the Government schools if they fail to meet the required infrastructure or the student-teacher ratio, no penalty has been spelt out. Also, the implementation of this fundamental right is left to the State Government and the Local Government. It does not specify who is going to be accountable by being vague about it and saying that it is left to the State and the Centre, I believe, Sir, the issue might fall between two schools and nobody would be held accountable. Unlike some of the other Bills which the Government has introduced, whether it is the RTI or the NREG, accountability has been fixed either in terms of identifying people or in terms of punitive clauses. So, my request to the Minister is to please try and consider how best he can try and focus on who would be held accountable. The Bill also places the onus on the Government to ensure enrolment of all the children, but once again, it does not specify who in the Government or which agency is responsible for this. Therefore, it is unclear who would be the appropriate authority, for example, to monitor that working children, children who are living on the streets, who do not have parents, who do not have guardians, who would ensure that these children are enrolled in schools.

Sir, the last point is that the Government has given a three year window for the schools, for the State Governments to implement and roll out this plan in the neighbourhoods though what constitutes the neighbourhoods have not even been defined. I would like to urge the Minister that if India has to meet its millennium development goals by 2015, then perhaps, this window of three years is too long a time. It is a time we cannot afford, and I would urge him to re-look at that and try and upfront it more.

And lastly, Sir, once again, I would like to congratulate the Minister, but in all humility, I urge him not to rush through this Bill until and unless he is confident that what he will be producing for this country are not just numbers of enrolments but minds that can help take India to the next level.

SHRIMATI KANIMOZHI (Tamil Nadu): Thank you, Sir. In a country where there has been discrimination on the basis of gender, caste and class, and children have not been allowed education for centuries in the name of law, in the name of the ruler, I think, this Bill is a Bill which has come here to make a wrong which has been carried forward for centuries as a right. So, I really welcome this Bill as a product, and as a Member of the DMK party which is a continuation of the social justice movement.

Sir, one of our greatest leaders today, Nelson Mandela says: Education is the most powerful weapon which you can use to change the world.

The recent Yashpal Committee Report says: "A lot is taught, but little is learnt or understood." These two statements are clear indications of what we should aspire for and what we are. "We will bring children from our rural areas" – commented one of our educators Mr. Vijay Kumar from Tamil Nadu –" who are very happy playing and rearing cattle. We bring them into the system. We try to educate them, but, after a few years, we tell them, "You are no good. You are good for nothing. Go back to the place where you came from!" Sir, this, actually, spoils their confidence throughout their life.

Sir, education is encouragement. It should awaken the natural curiosity of the young minds. We concentrate more on confining the curious young minds to classrooms and prescribed textbooks. The Bill places a great importance to the provision of physical infrastructure and other inputs, but there is no mention of an assessment of outcomes and learning achievements. With the provision 'that no child be held back, expelled or required to pass a board exam until completion of elementary education', which is a very welcome provision, it should not leave out the objective assessment of the child, learnt abilities.

"Right to Schooling" should take care to ensure that it is a "Right to Learning" also. But when we say "assessment", it should not mean what we have in the present way of examining the students. A child goes to school, and to learn a subject or a concept, it takes ten years. But we examine the child in just three hours, and are not bothered about what the child's state of mind is in that three hours, what his health conditions are or whether it is taken over by a fear. We try to examine, whatever the child has learnt ever ten years, in just three hours. Actually, these examinations do not test the comprehension, the articulation or the capability of the child to apply the concept in real life. No child's ability can be tested this way. Actually, it is only a test of the child's writing skills.

Today, in a newspaper, there was a report which says that 44 per cent of students in Class V cannot read Class II books fluently. It also says that a survey done in ten districts in the country shows that 25 per cent of our teachers could not solve simple problems in Maths and less than 50 per cent could comprehend a Class V level textbook and summarise it.

Sir, I would also like to mention here what the Yashpal Committee Report says again. "Inadequate programme of teacher preparation leads to unsatisfactory quality of learning in schools." The continuing education and assessment of teachers must be stressed and incorporated into the Bill. Sir, as already mentioned by a lot of Members who spoke here, I also request that the Bill should expand its definition of "a child" and include "pre-primary education" too into it, and the age of the child for "compulsory education" and 'the Right to Education' has to be changed to 3-14 years of age.

Section 7 in Chapter III of this Bill states: "The Central Government and the State Governments shall have concurrent responsibility for providing funds for carrying out the provisions of this Act."

The responsibility and the limits of the Central and State Governments should be made very clear, and how the funding for the various projects undertaken to be implemented under this Bill should also be included in the Bill. Changes, of course, can be incorporated later.

Chapter III also mentions about "neighbourhood schools", it is very important to define "a neighbourhood school" because in every State, it could differ. And the Bill also says that there is a time of three years for these "neighbourhood schools" to happen. The most important thing is what is going to happen to these children in these three years. As it regards children who have to go to a school, how are we going to provide for their education? Are we going to send them to some nearby private school? And is the Government going to pay for it on the transport That has to be clarified. *...(Time-bell rings)...*

In Chapter IV, section 12C of the Bill says that 25 per cent of seats in a class have to be allotted to children belonging to weaker sections. I request that reservation also for the socially backward classes and sections has to be incorporated into it. It is a very important thing because it is just not that they have been discriminated monetarily, their discrimination is further than that. In a country like India, I think, discrimination on the basis of social systems is still very rampant. So, that has to be included. The Bill hardly mentions anything about out-of-schoo! children. How are these children, who are drop-outs or never enrolled, going to be put in the mainstream? Now the SSA actually in its 'Back-to-School Scheme' has a bridging force which mainstreams these children. But with the SSA getting over in 2010, who will take the responsibility of these children?

The Bill states that the children will not be denied admission on account of any disability. It fails to acknowledge the additional facilites such as ramps, hurdle-free environment, special toilets, specially trained teachers, etc., which need to be provided. Moreover, slow-learners and children who need specialised ways of teaching are not mentioned in the Bill at air. What kind of provisions are we going to make to ensure the inclusion, of these children?

My last point is, Chapter VI says that National and State Commissions for Protection of Child Rights will inquire into complaints relating to a child's right to free and compulsory education and take necessary steps. We are all aware of the fact that in our culture child abuse and child sexual exploitation have never been brought up in public. But now things are changing and slowly these things have started being reported. For any child it is a very traumatic experience. *...(Time-bell rings)...*

MR. DEPUTY CHAIRMAN: Please conclude.

SHRIMATI KANIMOZHI: Sir, I am concluding. An incident like this in a school premises would deter them from education for ever and leave them scarred. How would we deal with grievances like this when child sexual abuse cases are still dealt with by using the laws enacted for adults? I request the Chair for a discussion on this here. I hope some Members would support it. It is very important.

Unless these laws are changed, we can't protect our children. Thank you, Sir, and once again I would like to congratulate the Government for bringing in this Bill.

डा. राम प्रकाश (हरियाणा) : उपसभापति महोदय, मैं आपको धन्यवाद देता हूं कि आपने इस महत्वपूर्ण विधेयक पर अपनी बात कहने का मौका दिया है। यह एक ऐसा ऐतिहासिक विधेयक है जिससे न केवल बच्चों के व्यक्तित्व का विकास होगा, बल्कि इस देश में बाल मजदूरी की जो कुप्रथा है, उसे भी समाप्त करने में मदद मिलेगी। जब हम अपने आपको इस बात के लिए तैयार कर रहे हैं कि पूरे देश में बच्चों को शिक्षा दी जा सके, तो इसके लिए मेरा यह सुझाव रहेगा कि जिस तरह से श्री राजीव गांधी जी ने अपने समय में एक सर्वे के आधार पर "चैलेंज ऑफ एजुकेशन" एक डाक्युमेंट तैयार करवाया था, उसी आधार पर सरकार प्रदेशवार सर्वे करवाए कि कितने प्रतिशत बच्चे स्कूलों में दाखिला लेते हैं? और पांचवी तथा आठवी के बाद कितने प्रतिशत बच्चे स्कूल छोड़ देते हैं? वे स्कूल क्यों छोड़ जाते हैं? इसके पीछे सामाजिक पृष्ठभूमि क्या है और उसका कारण क्या है? देश में आज जो आठवीं तक के स्कूल विद्यमान हैं, उनकी स्थिति क्या है? पुस्तकालय है, चारदीवारी है, ब्लैक बोर्ड है, अध्यापक है, कमरे है या नही हैं? साथ ही यह भी देखा जाए कि "सर्व शिक्षा अभियान" जो चलाया गया, उसका क्या परिणाम रहा है? पांचवी के बाद अधिकांश बच्चे पढ़ाई छोड़ जाते हैं, आठवी के बाद कुछ और बच्चे छोड़ जाते हैं, इसका कारण क्या है? मैं समझता हूं कि इसके दो मुख्य कारण हैं। एक, समाज का नजरिया, जागरूकता का अभाव, शिक्षा के प्रति कम आकर्षण और दूसरा कारण संसाधनों का अभाव है। विशेषकर गांवों में लड़कियों के माता-पिता दूसरे गांव में लड़की को पढ़ने के लिए भेजने को तैयार नहीं होते हैं और इसीलिए बच्चे आगे पढ़ने से रह जाते हैं। इसके अन्य कारण भी हैं, जैसे - गवर्नमेंट स्कूलों में योग्य अध्यापक होते हुए भी, सुविधाएं होते हुए भी, पढ़ाई ना के बराबर है। जहां उसमें अध्यापक जिम्मेदार है, वहां सरकार भी, जो उनसे अनेक प्रकार के काम लेती है, जिसमें से कुछ कामों पर रोक भी लगाई गई है, मैं समझता हूं कि अध्यापकों से कोई गैर-शैक्षणिक काम नही लिया जाना चाहिए। उसका अपना काम बहुत महत्वपूर्ण है और उसे वही काम करके देना चाहिए। जो बच्चे स्कूल नहीं जाते है, उनमें से बहुत से बच्चे स्लम एरिया के है और कुछ बच्चे माइग्रेटरी लेबर के है। जब उनके मां-बाप मजदूरी करने जाते है तो बड़ा बच्चा छोटे बच्चे की देखभाल करता है। इस वजह से वह स्कूल जाने से रह जाता है। हमें फ्री स्कूल एजुकेशन के लिए ज्यादा आंगनबाड़ियां खोलनी चाहिएं और उनके नार्म्स बदलने चाहिएं। 500 की आबादी पर एक आंगनबाड़ी की बजाय हमें बच्चों की संख्या तय करनी चाहिए क्योंकि जिस इलाके में अमीर घराने ज्यादा हैं, वहां पर पढ़ने वाले बच्चों की संख्या कम होगी और जहां गरीब बच्चे रहते हैं, वहां पर तादाद ज्यादा होगी। आंगनबाड़ी का भवन स्कूल के अंदर होना चाहिए, स्कूल से बाहर नहीं होना चाहिए। इससे बच्चे को स्कूल में जाने की आदत पड़ती है। महोदय, मैं इसके साथ यह भी कहना चाहूंगा कि नजमा जी ने जो एक बहुत अच्छा मुद्दा उठाया है कि प्राइमरी एजुकेशन का आरंभ मातृ भाषा से होना चाहिए। दूसरी भाषा कोई भी हो, वह किसी और क्लास से भी पढ़ाई जा सकती है। भाषा का व्यक्ति की संस्कृति से बड़ा गहरा संबंध है। मेरे एक बहुत सात्विक, निष्ठावान जैन बंधु मुझसे बातचीत करते-करते अपने बारे में कहने लगे, "I have killed two birds with one stone." मैंने उनसे पूछा, आपने पक्षी मारने कब से शुरू कर दिए? वे झेंप गए और कहने लगे कि दोष मेरा नहीं है, यह भाषा का दोष है। अगर मैं हिन्दी में बोलता तो मैं "आम के आम, गुठलियां के दाम" कहता।

महोदय, मैं आप से दूसरी बात यह निवेदन करना चाहता हूं कि हरियाणा के अंदर श्री भूपेन्द्र सिंह हुड्डा के मुख्य मंत्रित्व काल में कांग्रेस की सरकार ने एक तजुर्बा किया है, जो बहुत कामयाब रहा है। हमारे यहां हरियाणा सरकार ने यह नियम बनाया कि कोई भी शैड्यूल्ड कास्ट बच्ची अगर पहली से पांचवी क्लास तक स्कूल जाएगी तो उसे 150

रुपए प्रति माह वजीफा मिलेगा और यदि लड़का जाएगा तो उसे 100 रुपए मिलेगा। छठी क्लास से आठवी तक के लड़के को 150 रुपए और लड़की को दो सौ रुपए मिलेंगे। पांचवी क्लास तक लड़कियों की वर्दी के लिए 300 रुपए और पांचवी क्लास के बाद आठवी तक वर्दी के लिए 500 रुपए दिए जाएंगे। यह जो नियम है, यह अनुसूचित जाति और बैकवर्ड क्लास, जिसको हरियाणा में BCA कहते हैं, मैं OBC की बात नही कह रहा हूं, BCA और BPL के ऊपर लागू किया जाए। इसका परिणाम यह निकाला कि आज हरियाणा के अंदर एनरॉलमेंट लगभग शतप्रतिशत है और ड्रॉपआउट रेट बहुत कम है। क्योंकि जो गरीब मजदूरी करने जाता है, उसे इस बात का पता है कि मेरा बच्चा स्कूल में जाएगा, पढ़ेगा और साथ कमाकर लाएगा। हमें इस तर्ज के ऊपर काम करना चाहिए। हरियाणा में ऐसे सभी बच्चों के बैंक एकाउंट्स खोल दिए गए हैं और उनका पैसा सीधे उसमें जमा कर दिया जाता है।

महोदय, मैं आप से एक और निवेदन करना चाहता हूं। मैं नेबरहुड के बारे में यह कहना चाहता हूं कि अगर हम इसे लागू करना चाहते हैं तो कम से कम हर गांव में पांचवीं क्लास तक का स्कूल होना चाहिए। अगर आठवी क्लास तक की बच्चियों के लिए व्यवस्था कर सकें तो बहुत उचित रहेगा। यहां हम माता-पिता कर्त्तव्यों की बात करते हैं कि उन्हें अपने बच्चों को स्कूल में भेजना चाहिए, सवाल यह है कि अगर कोई मां-बाप अपने बच्चे और बच्ची को स्कूल में पढ़ने के लिए नहीं भेजते हैं तो उनको क्या दंड मिलना चाहिए? हम उनको अलग-अलग स्कीमों के आधार पर जो सुविधाएं देते हैं, हमें उनसे वे सुविधाएं वापस ले लेनी चाहिएं। इसी तरह मैं यह निवेदन भी करना चाहूंगा और जिस बात की चर्चा इस बिल के अंदर नही है कि जो व्यावसायिक घराने हैं, जो औद्योगिक घराने हैं, उनकी यह जिम्मेवारी होनी चाहिए कि जो वहां लेबर काम करते हैं, जो उनके लो पेड एम्पलॉइज हैं, उनके बच्चों के लिए स्कूल की व्यवस्था वे औद्योगिक घराने करें। इसको उनके साथ कम्पलसरी किया जाए, क्योंकि बिना कम्पलसरी किए हमारे औद्योगिक घराने R&D पर उतना खर्च नही करते, जितना उन्हें करना चाहिए। यह व्यवस्था भी की जानी चाहिए। इसके साथ ही मैं यह बात भी कहना चाहता हूं कि हमें किसी न किसी क्लास में या आठवीं क्लास में इम्तिहान की व्यवस्था जरूर करनी चाहिए। यहां पर यह बात कही गई है कि हम उसको किसी क्लास में रोकेंगे नही। अगर एक बच्चे को चौथी क्लास का हिसाब नही आता है, आप उसे छठी क्लास में बैठा देते हैं, तो वह क्या सीखेगा? इससे अच्छा तो आप उसे चौथी क्लास में ही रखिए, ताकि कम से कम वह चौथी क्लास तो पास कर ले। अगर वह बिना कुछ जाने छठी क्लास में बैठेगा, तो वह अपने आस-पास के बच्चे को भी भी पढ़ने से खो देता है। आप इम्तिहान से कहां तक बचेंगे? जीवन अपने आप में एक परीक्षा है। यह आदमी को सफलता और विफलता के बीच में संतुलन बनाने में मददगार रहती है। मैं यह समझता हूं कि फेल न करना, रियायती पास लिख देना, इससे उसकी योग्यता का किसी किस्म का कोई मापदण्ड नही होता है। इससे बच्चे नकल करते हैं, वे जिम्मेदार नागरिक नही बन पाते हैं, उनकी योग्यता पर किसी किस्म का कोई भरोसा नही हो पाता है। मैं अंतिम बात यह कहना चाहूंगा कि यहां पर क्वालिटी एजुकेशन का प्रश्न उठता है। मैं यह समझता हूं कि चैप्टर 1 में जो परिभाषाएं दी गई हैं, उनमें अगर आप एलिमेंट्री एजुकेशन को डिफाइन करते वक्त, जैसे वहां लिखा है, elementary education means education from class 1 to class 8. अगर आप इसमें क्वालिटी एजुकेशन शब्द यही जोड़ दें तो समस्या का समाधान होता है। मैं इस बात का पक्षधर हूं कि सभी बच्चों को, वे जब किसी स्कूल में पढ़ने के लिए जाएं, उनका खान-पान, पहरावन सब बराबर होना चाहिए, शिक्षा की पद्धति बराबर होनी चाहिए। अलग-अलग प्रदेशों के हिसाब से उनका सिलेबस भिन्न हो सकता है। यदि हम उन्हें एक अच्छा नागरिक बनाना चाहते हैं तो हमें इस बात की ओर ध्यान देना पड़ेगा।

इन्हीं शब्दों के साथ मैं यूपीए सरकार को इस बात के लिए बधाई देता हूं, जिन्होंने बहुत उत्साह के साथ यह बिल पेश किया है। मैं यह समझता हूं कि यदि सभी मिलकर प्रयास करें तो हिंदुस्तान के माथे पर जो अनपढ़ता का कलंक है, वह दूर किया जा सकता है। आपने मुझे बोलने का मौका दिया, एक बार फिर आपका बहुत धन्यवाद।

DR. BIMAL JALAN (Nominated): Thank you, Sir. I shall try to be brief because a lot has been said. The most important point that I want to make is, if India wants to do it, it can. The question is not of what we want to do, which the Bill tells us, which the Directive Principles tell us, the Constitutional provisions of 2002 tell us; it is the method of how to do it. Here, Sir, since we have Mr. Kapil Sibal as the new Minister for education, I would make two sets of suggestions, very briefly. One is about knowing what to do, and in knowing what to do, we have to take into account the fact that we now have more than 60 years of experience in trying to do what we want to do. In many areas we have achieved success: Space, Nuclear Energy, Right to Information, Democracy, Elections. There are a lot of areas where India has done what it wants to do. So, there is no reason why we can't do what we want to do in the field of primary education. So, I believe that we can do it. My suggestion to Mr. Sibal, to the Department of Education is: one, we must do a survey in each district. I am bringing here some of my own experience from other fields to this field of primary education. If you look at each district in our country, there would be some parts of that district where the education system works, where the drop out rate is low. As we know, the rate of drop outs varies from 15-20 per cent to 70-80 per cent in different districts. So, we want to know why is it that in the same State, with the same rules, with the same amount of money, some areas work better than others. This is a matter of research which can be done and I can tell you that we have the institutions which can do a sample survey to tell you on the ground what works and why it works in some places in the same district and doesn't work in others. I know it. We have done this kind of a study for bridges, tubewells, water availability, failure of irrigation, and we found that in the same district, we found it worked in some areas while in other areas it did not work because the methods were different. What works in Meghalaya may not work in Karnataka; what works in Karnataka may not work in Tamil Nadu. So, we need a decentralised ground-level study. The second related suggestion to the Minister of Human Resource Development is: let us do a survey of teachers; it is not about opinions; it is about the problems that the teachers face in all parts of the country. Take a representative random sample. This study may take about six months but we can try and get the views of the teachers from all over India. This can be segmented by both, levels of income in different areas as well as the type of hinterland that we have. The rural areas may be different, the urban areas may be different, but we have institutions that can do this kind of study. Based on this study, I think, we can make a programme which will actually work and give us the results.

Now, Sir, I would like to say two other things from the user's point of view, which have worked in other areas. It is, why can't we also have – I would suggest to the hon. Minister – the Right to

Education PCO, similar to the Public Call Office. If somebody in a family, some student in a family, is not getting the education of the type which want him to drop out, they can go to that PCO. There can be a PCO at every ten kilometres, which helps the person who goes there and says, 'I want to go to this school. My interest is this, and where can I do it?" So, there should be this advisory service available to him or her or the family to do what needs to be done. If there is a problem in getting that education, if there is a problem in getting something, they can, at least, Sir, report that and then the solution can be found. It is not a complaint centre but a help centre. It is trying to find a solution to a problem, and we can do that.

Finally, Sir, we should understand, what every school needs are two things. One is teachers; the second is the method of teaching; the trained teachers and the method of teaching. You need paper; – I have been to many, many of these schools – you have blackboards without chalks; you have drawing Teachers without paper. So, what I would suggest to Mr. Sibal is to find a methodology whereby the Principal is allocated resources, a certain amount of autonomous resources which would give them the empowerment. So, provide these resources, and these resources would be per-pupil in a school. That is, in addition to all the other infrastructure and payment for teachers and so on, what is the amount of money which is needed to provide all the services to that student in terms of other things, paper, equipment and so on and so forth? So, I would make that suggestion to Mr. Sibal. These are all just ideas, vague ideas, at the moment, but I am sure that they can be crystallised. So, we know what needs to be done. We must have the belief that we can do it. It may not be done in five years, in ten years, but we can certainly deliver. India can do what it wants to do. And the second is to find a methodology, whereby we have a PCO-type of arrangement, where somebody can go 30, get the advice, get the best service. We should also provide for empowerment of the Principals. If the Principals want to change the infrastructure, to do something, to provide something, they don't have to go to the State Government or the District Collector, but the Principal herself or himself can do it. Thank you, Sir.

MR. DEPUTY CHAIRMAN: Now, Shri Sharad Joshi. You have five minutes.

SHRI SHARAD ANANTRAO JOSHI (Maharashtra): Mr. Deputy Chairman, Sir, now we are almost at the end of this debate, and there has been no dissenting voice as regards the objective of the Bill, that there should be access to education for all children in this country and they should have a right to compulsory education. This was stated in the Directive Principles of the Constitution itself. tt is after 58 years, Sir, that we realise that despite what is said in the Directive Principles, we have not succeeded in achieving even universal literacy, forget about universal primary education. And, under these circumstances, having wasted 58 years, we are now trying to rush in. The Report of the Standing Advisory Committee was kept aside, and even now we are being doled out a minute or two

minutes for saying whatever is important. I think in the last one hour, there has been a definite qualitative improvement in the inputs that were made in the Rajya Sabha debate and I still feel, strongly feel, that we have 58 years behind us, and nothing is going to be lost even if the Bill is passed tomorrow. You will have to alter the List of Business. But this is a very important Bill because this is an area where for the last 58 years we have failed, and the Bill that has come before us, Sir, I regret to say, is not a Right to Education Bill, it is a right to formal schooling Bill. It is not a Right to Education Bill. One must make a difference between what is education, what is knowledge, what is three Rs. and what is schooling. What we are being offered is schooling and neither knowledge nor education.

Sir, I have a number of points, but I will only make a couple of points so that I stick to the time. I remember, Dr. White, an eminent Australian pedagogue mentioned that 'my father wanted me to have good education. Therefore, he never sent me to school'. The idea that in the school you get education and you become wise is a very old idea. It is not necessarily true. You may pick up certain rudiments of three Rs, but that also means that some of the knowledge that you have earned earlier before going to the school is lost.

Sir, what is the hard core of the problem? We have the tribals who have difficulty in going to the school, we have the bonded labour children who have difficulty in going to the school, then we have, Sir, the migratory labour who have difficulty in going to the school. The most important hard core of the problem is, the children from agricultural families who have difficulty in going to the school. Now, the approach should be quite different of course, there should be a word like right or responsibility; but the important thing is, are we providing the facilities for schooling? This is number one. Are we giving them any enabling instruments that will encourage them to go to the school.

Sir, let me talk about my experience about the children of farmers. The farmers do not like to send their children to the school because their impression is, once they go to the school, they lose the habit of hard work that is required by agriculture; they start dressing well and do not like to work on the agriculture at all. Not only that, the instinctive knowledge that they had about the agriculture is also lost when they go to the schooling. Schooling often becomes negative knowledge rather than positive knowledge.

Sir, under these circumstances, I would say that there are a number of contradictions, a number of holes in the Bill as it has come today. I will just read out the points so as not to take more time.

Firstly, there is a distinction between providing a right and providing a facility. There is no positive action taken to enable children who cannot go to the school to come to the school. For example, this is going to be a flagship programme of the UPA. That is why we are trying to rush it in 100 days. Sir, if we only combine two flagship programmes and widen the scope on NREGA to include in NREGA work on the agricultural fields where a child has been compulsorily sent to the school, the father will

not have any complaint about sending the child; he cannot send the child to the school today because there is nobody to work in the fields. If NREGA and this flagship programme is combined, it will make it much easier for the farmers to send their children to the school.

Sir, there is one very important point which was raised recently. There are two schools of thoughts among the pedagogues; there is a nurturing school of thought, which is, I think, like the Lady Montessori, who believe in nursing the children. And there is a school of thought which believes that their instinctive gut feeling, instinctive enterprise of the children should be encouraged.

Abolition of examinations starting from the first standard to the last standard is a very negative step; and at the time when the hon. Minister for Human Resources is trying to bring in foreign universities in this country, I think, we will make a very poor show. We want to expose ourselves to globalisation and, at the same time, wish to take away all the competitive elements that exist in our present system.

Sir, there are a number of contradictions. In clause 4-5, for example, they say that special tuitions ought to be provided; in clause 28 it is said that all kinds of private tuitions would be banned. I do not know how this kind of a contradiction could have come in there.

Then, Sir, the neighbourhood school has not been defined. Najma Heptullaji has pointed that out. Unless the neighbourhood school, particularly for the girl child, is less than 3 kms. away, it is not to be left to anybody; but 3-5 kms. away does not constitute a 'neighbourhood school'.

Sir, the last point that I would like to make is that there are certain clauses which are brought in and there will have to be some correction done about it; for example, the reservations for economically weak classes is something that is not in the system. I do not know how it got its way in the Bill. We will have to do something; because, otherwise, on this particular clause, the whole Bill may get rejected in the judiciary. I think, the Minister will at least comment on this and say where did he get the idea that the reservation for weaker section can be introduced in the Bill.

Sir, we are in a country where 50 per cent of the voters vote; we are in a country where only 40 per cent of the girls marry before the age of 14. In this kind of a situation, if you think that by merely saying there is a legislation and by merely saying that there is a right and compulsion in the act and that there would be a qualitative change, you are living in a fools paradise. Fifty years hence, I am afraid, we still will be in the same position and will still be talking of why India is half illiterate. Thank you.

DR. JANARDHAN WAGHMARE (Maharashtra): Thank you, Sir, for giving me an opportunity. I rise to congratulate Shri Sibalji and also support the Bill. Sir, universalisation of primary education has been a long dream for us and we could not fulfil it for hundred years. In 1910, Gopal Krishan Gokhale had introduced a Bill in the Imperial Council but that was defeated. The dream was deferred and

deferred for a very long time and now our hon. Minister, Sibalji, has got the historic moment to introduce this Bill in this House. Sir, it is our desire, of the Indian people. All the social reformers, national leaders, all of them have talked about universalisation of education, that is, primary education. But now we are going to have a chance. We have always been saying that Indian education is at crossroads and for 100 years, even after 60 years of our independence, we could not cross the crossroads. But now this Government has the moment of crossing the crossroads. So, that is why it has got its own historical importance. All children of marginal sections, deprived sections are going to get a chance, a right to education. But only by passing the Bill, perhaps, all of them will not get education as a right. For that we have to try our best. You have not given me much time but this particular Bill has many salient features, many provisions have been made. The teacher is the focal point in the system of education. What I feel is that the teacher is Achilles' heel in our education system. He has to be trained. His training must be given as much importance as we give importance to the education for children. Unless he knows his trade it .is not possible to have quality education in this country. So, accountability has to be fixed on the teacher. Some clause has to be inserted about it. There are two or three things to which I would like to draw the attention of the House. The Bill does not mention the medium of instruction. We have been talking about it, the Kothari Commission also talked about this. We have a clear-cut language policy that primary education has to be given in the mother tongue. We have 22 languages, which we have recognised as Official Languages in this country. So, that has to be made very clear in this particular Bill. Sir, one shortcoming, which I have come across, is that there is no clause of goals and objectives of primary education. Definitions have been given but especially in such Acts there is a clause, a section, an article defining the objectives and goals of primary education. There are many things; for instance, we have to inculcate cultural values in the minds of the students. Ours is a secular society, we have to inculcate the ethos of secularism, the rights of citizens and all that. So, this also should be there. After all, we are going to march towards an inclusive society. So, this is there. Development of personality is the primary goal of education. 'The destiny of India is being shaped in the classrooms'. This is the sentence with which the Kothari Commission reports opens. So, classroom is very important. School is micro society or micro community, and, therefore, we have to build this particular community. So, there are various ways but the destiny of India primarily depends on education. This is my submission. Thank you very much.

SHRI JESUDASU SEELAM (Andhra Pradesh): Sir, I rise to support this Bill and I congratulate the hon. Minister. I compliment him. Sir, as I share my friends' comments that this is a historical occasion where this country has been denied the facility of learning to a section of the members of the community. That century old injustice is sought to be removed or annulled by various measures right from the day we got independence and even earlier through various large hearted social reformers and also as enshrined in the Constitution in the form of Directive Principles by Dr. Ambedkar. Sir, we must remember the noble deeds of liberals like the work of Mahatma Phule. I

would like to say, Sir, that the State is taking the role of a parent. In short, you are providing a right to a child to learn or the Right to Opportunity to Learn. But, Sir. I would like to know is it okay if you just provide a right or is it a right if the right is not exerciseable. There are certain concerns which make me feel that there are discriminations, different forms of discriminations. If we look at today's newspaper, a *dalit* girl was asked to sit separately in a classroom in Uttar Pradesh and an NGO conducted a study.

श्री गंगा चरण (उत्तर प्रदेश) : आप असत्य बोल रहे हैं। यह उत्तर प्रदेश में नहीं हो रहा है।

श्री जेसुदासु सीलम : आप शांत रहिए, बैठिए।

श्री गंगा चरण : आप गलत आरोप लगा रहे हैं।

श्री जेसुदासु सीलम : आप शांत रहिए, बैठिए। There is a report. It could be verified that a girl was earlier sitting next to the members of the same community in the village but the teacher asked about her caste. She was then asked to go and sit in a corner. The NGO reported that almost 40 per cent of the schools in Uttar Pradesh report some sort of discrimination of this kind. This is what I read. If it is not correct, I will be happy.

श्री गंगा चरण : आप असत्य बोल रहे हैं, गलत आरोप लगा रहे हैं। ...**(व्यवधान)**...

श्री वीर सिंह (उत्तर प्रदेश) : उत्तर प्रदेश में ऐसा कुछ नहीं है। ...**(व्यवधान)**... आप गलत आरोप लगा रहे हैं। ...**(व्यवधान)**...

श्री उपसभापति : आप बैठिए। वह अखबार से कुछ बोल रहे हैं। आप उसे deny करिए।

श्री जेसुदासु सीलम : वह किधर भी हो ...**(व्यवधान)**...

श्री उपसभापति : यह क्या बात है? आप बैठिए।

श्री वीर सिंह : यह उत्तर प्रदेश में नहीं है, यह राजस्थान में हो रहा है। ...**(व्यवधान)**...

श्री जेसुदासु सीलम : आप शांत रहिए। उत्तर प्रदेश में नहीं है तो ठीक है।

MR DEPUTY CHAIRMAN: Mr. Seelam, you go ahead.

श्री वीर सिंह : तो ऐसा नहीं बोलना चाहिए। ...**(व्यवधान)**...

श्री उपसभापति : वह मैम्बर कह रहे हैं, आप उसको deny कीजिए ...**(व्यवधान)**... आप बैठिए न। ...**(व्यवधान)**...

श्री जेसुदासु सीलम : आप शांत रहिए। उत्तर प्रदेश में ...**(व्यवधान)**... तो ठीक है।

श्री गंगा चरण : सर, ...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN : Mr. Seelam, you please go ahead. ...*(Interruptions)*...

श्री गंगा चरण : क्या उनके पास इसका proof है? ...**(व्यवधान)**...

श्री उपसभापति : आप उसको deny कीजिए बस। वह यहां proof लाकर क्या देंगे? वह अखबार की बात कर रहे हैं। ...**(व्यवधान)**...

श्री गंगा चरण : आप अखबार की बात पर believe कर सकते हैं? यह तो कोई भी लिख सकता है।

श्री उपसभापति : आप भी उठाते हैं, वह भी उठाते हैं। ...**(व्यवधान)**... बैठ जाइए।

श्री गंगा चरण : सर, जब हम गलत बोलते हैं तो वह भी विरोध करते हैं।

श्री उपसभापति : यह बात उठाने की नहीं है। बैठिए, प्लीज।

SHRI JESUDASU SEELAM: Sir, I am not saying for the sake of saying. It can be verified, I will leave it to the Chair. But, there are certain concerns. If you look at the Definition, Clause 2(c), (d) and (e) enumerates who is 'Child.' There are certain special categories of children mentioned by the earlier speakers. They are: orphans, disabled, domestic workers, agriculture labourers, etc. Still, we see the dropout rate, as per the Report of the Standing Committee on the HRD, stood between 55 per cent and 60 per cent among the girls belonging to SC/ST communities. All this is because most of them still work as agriculture labourers and their parents depend on their wages, to some extent, for their subsistence. Despite the Mid-Day Meal Scheme on a large-scale, there are dropouts. So, there is a need to improve the situation as per the objectives of this Bill.

Secondly, Sir, I come to the quality of learning. If you look at the existing infrastructure, this Bill is not very clear and has not clarified what will happen to the existing infrastructure. There are certain norms for infrastructure. Are you going to upgrade the existing infrastructure, especially in the villages where a large number of Government schools does not have the basic facilities? Are you going to upgrade them, or, are you going to convert them to suit to your norms? It is not clear in the Bill.

Thirdly, Sir, I come to 25 per cent reservation combining with economically weaker sections, SC/ST, OBC and also with other sections. It is defined. Whenever such reservations are made, it is an all-inclusive. We would like it to be clearly demarcated what percentage will go to the most deprived sections. That is necessary, because on some pretext or the other, it is being challenged. I agree with Shri Joshi when he meant a new criterion is evolved. Sir, the Constitution (Ninety-third) (Amendment) is partly fulfilled when the reservations are made in the Government educational institutions. Reservation in the private institutions is still to be brought about.

This is about the minority institutions. Sir, Madam Najmaji and other hon. Members have mentioned about Article 30 of the Constitution. We are not going to ask them for reservation. The Muslim minority institutions can give reservation to Dalit Muslims. The Christian minority institutions can give reservation to Dalit Muslims. It does not prevent them from accommodating the less fortune among the same minority communities. ...**(Time-bell rings)**... This Bill is not very clear about the percentage. Sir, there is going to have a situation...

MR. DEPUTY CHAIRMAN: Please conclude.

SHRI JESUDASU SEELAM: ...in private institutions. Suppose, you are not reimbursing 25 per cent to private institutions matching to their calculation and if you are giving them at the Government rate, you are going to have an unequal situation of different types. Today also, in Delhi, there are

certain elite public schools running two sessions – one for the poorer sections and another for the affluent. You want this system to continue? Or, you want equal environment where everybody can learn together? These things have not been enumerated clearly in the Bill. However, I hope, these concerns could be reflected either in the rules to be made or make them part of the Bill. This may kindly be clarified. In the end, I, once again, compliment the hon. Minister for bringing forward this Bill. I also hope that the 93rd amendment would be implemented with the induction of reservation in the private sector, in the field of education, not only up to 14 years, as enumerated here, but up to 17 years.

Thank you very much, Sir.

श्री साबिर अली (बिहार) : मैं इस बिल को सपोर्ट करने के लिए खड़ा हूं, सपोर्ट करना मजबूरी नहीं, जरूरी है, क्योंकि अपोज करने वाले लोग दिखाई नही दे रहे हैं।

सर, मैं समझता हूं कि मुझसे पहले सदन में एजुकेशन पर, हर बात पर लोगों ने, सीनियर मैम्बर्स ने, सब लोगों ने अपनी बातें रखी हैं। मैं कुछ न कहकर, Persian का एक शेयर कहना चाहता हूं किः

इल्म चन्दा के बेशतर-खानी
चूं अमल गर तु नेस्त नादानी।।

शायर कहता है कि चाहे तु इल्म जितना भी पढ़ ले, अगर तुझमें अमल नहीं है तो तू बेवकूफ है। सर, मैं यह जानना चाहता हूं कि हमारे यहां यह इतना बड़ा मंत्रालय है, जिसमें देश की आने वाली नस्लों का और अभी जो नस्ले हमारी 14 साल से नीचे हैं, सबका भविष्य इस पर टिका हुआ है, बहुत बड़ा यह मंत्रालय है। मंत्रालय ने बहुत बड़े पैसे का allocation भी किया है - फरवरी में जो रिपोर्ट आई उसमें लिखा हुआ है, 2,00,000 करोड़ रुपए के ऊपर की allocation है। सर, मैं जो सर्व शिक्षा अभियान चलाया जा रहा है, उस पर जाने से पहले एक बिहार की मिसाल देना चाहता हूं। मैं स्टेट को टारगेट नहीं कर रहा, मैं मिसाल दे रहा हूं कि हमारे यहां 2,00,000 टीचर्स की बहाली हुई है, मैं दावे के साथ यह कहता हूं कि इन 2,00,000 टीचर्स में पांच परसेंट भी ऐसे टीचर्स नहीं हैं, जिनको टीचिंग का experience है या up to the mark हैं। यह सच्चाई है। ऐसे टीचर्स हैं, जिनको न तो हिन्दी में ही, न उर्दू में, न इंग्लिश में चार sentence लिखने आते हैं, यह ज़मीनी हकीकत है।

सर कांग्रेस के एक बड़े मैम्बर ने आंगनवाड़ी का जिक्र किया, आंगनवाड़ी की स्थिति ऐसी है कि 95% आंगनवाड़ी का कही वजूद नहीं है, सिर्फ पेपर पर है और उस पर पैसा कितना आता है, आंगनवाड़ी के शिक्षक और उनके ऊपर जो supervision करने वाले लोग हैं, वे सिर्फ calculate करते हैं कि किसमें कितने percent पैसा जाएगा। सर, मैं कहना चाहता हूं कि हम चाहे जितनी बात करें, चाहे जिस system की बात करें, आज जो स्थिति है, आप देख लीजिए, जितनी भी metropolitan cities हैं, छोटे शहर हैं, बड़े शहर हैं, वहां लोग अपने बच्चों के admission के लिए भागे-भागे फिर रहे हैं। आज जितने स्कूल हैं, उनमें स्थिति यह है कि वहां admission के लिए बच्चों के मां-बाप त्राहि-त्राहि मचा रहे हैं, लेकिन admission नही मिलता है। हम इस पर जोर क्यों नहीं लगाते कि हमारे यहां जितने भी पढ़ने वाले बच्चे हैं, उनको आज कम से कम admission मिल जाए। आज मां-बाप अपने पूरे काम-काज को छोड़कर 10-10, 20-20 दिन एक-दूसरे के यहां घूमते हैं। हमारे यहां लोग आते हैं, जब हमारे जैसे लोगों के पास 20-20 लोग आते हैं, तो हम समझ सकते हैं कि आप लोगों की क्या सिचुएशन है। जहां पर केन्द्रीय विद्यालय है, एक-एक केन्द्रीय विद्यालय में admission के लिए दो-दो सौ लोग वहां पर धक्के खा रहे हैं, admission नहीं मिलता है। सर, मैं यह कहना चाहता हूं कि हमारे यहां जो system है, उसकी पूरी pipeline

जकड़ी हुई है। आज allocation हो रहा है, लेकिन इसमें जो माफिया लोग हैं, allocation होने से पहले, सरकार के announce करने से पहले, जो माफिया लोग हैं, वह allocation उनका target बन जाता है, उनका system बिल्कुल तैयार है कि पैसा कैसे आएगा, percentage कैसे बंटेगी और पैसा कहां जाएगा! सरकार अपनी scheme बनाती है, announce करती है, लेकिन उसके पहले माफिया लोगों द्वारा अपना target fix कर दिया जाता है।

सर, मैं आपके माध्यम से मंत्री महोदय को कहना चाहता हूं ....(समय **की घंटी**).... सर, मैं बहुत ज्यादा वक्त नहीं लूंगा ...

श्री उपसभापति : आप ले चुके हैं, आपका वक्त समाप्त हो चुका है।

श्री साबिर अली : आप उस सिस्टम में कहीं सुधार लाने की व्यवस्था करें। मैं जानना चाहता हूं कि आज यहां से एजुकेशन के लिए जो पैसे अलॉट किए जा रहे हैं, वह ग्रास रूट तक पहुंचे, शिक्षा की जो बात की जा रही है, वह लोगों तक पहुंचे, उसके लिए क्या स्कीम है? हमारे यहां कहने से ज्यादा करने की जरूरत है, चाहे जितना भी पैसा, 2,00,000 करोड़ रुपए नहीं, बल्कि अगर आप 8,00,000 करोड़ रुपए भी allocate कर देंगे, वह पैसा भी कम पड़ेगा, क्योंकि आपका पूरा सिस्टम माफिया से घिरा हुआ है, पूरा सिस्टम बिगड़ा हुआ है। उसको बदलना होगा, अगर आपको भारत की तकदीर बदलनी है, तो अपने कामों को बदलना होगा।

इन्हीं अलफाज़ के साथ, सर, मैं आपको धन्यवाद देता हूं कि आपने मुझे बोलने का मौका दिया। I, once again, congratulate the hon. Minister for bringing forward this Bill, which is expected to bring revolution in the field of education.

MR. DEPUTY CHAIRMAN: Shri M.V. Mysura Reddy, you have five minutes. There are some more speakers also.

SHRI M.V. MYSURA REDDY (Andhra Pradesh): Sir, I will be a disciplined speaker on this Bill.

MR. DEPUTY CHAIRMAN: I know, but it is my duty to remind you.

SHRI M. V. MYSURA REDDY : Sir, I rise to support this Bill on behalf of my Party. No doubt, this Bill is a good Bill. But, I want to bring to the notice of the hon. Minister two, three grey areas. Sir, the intention and objective of the Bill should not be on paper; it should be implemented in letter and spirit. Sir. I got this doubt after seeing the Budgetary allocations.

Secondly, Sir, in the Bill, stress has been laid on some guide posts, but I doubt whether provisions are sufficient to achieve this goal. For example, in clauses 24, 26, 27 and 28, there are a lot of do's and don'ts for the teachers. There is only one sub-section which is about students' standard: "Assess the learning ability of each child...." That means, Sir, from first class to the eighth class, only assessment will be made. Sir, I want to bring to the notice of the hon. Minister the ACR survey. Sir, according to this survey, 33 per cent students of the fifth class were not able to pass the first class test and 40 per cent of the students were not able even to do subtraction. That is the standard of education, Sir. If we apply these principles, I am afraid , Sir, that we will be only giving them certificates for promoting them to the next standard, without any knowledge or standard of education.

My next point is regarding duty of the parents, if they do not fulfil their duties of sending their children to schools, what will be the consequences? This is not mentioned in the Bill. Then, Sir, it does not address the reasons because of which the parents do not send their children to school, for

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example, child labour, lack of learning, begging, migrant labours, etc. So, these issues need to be addressed. If this issue had been addressed, this would have been a perfect Bill.

Sir, these are my points. As I promised that I will be a disciplined speaker, I conclude, Sir. Thank you..

श्री उपसभापति : अलका जी, आप बोलिए, आपके पास 5 मिनट का समय है।

डा. (श्रीमती) नजमा ए. हेपतुल्ला : इनको पहले बुलवाना चाहिए था, ये प्रोफेसर हैं।

प्रो. अलका क्षत्रिय (गुजरात) : मैडम, बाद में भी केवल 5 मिनट ही मिले हैं। हमारा भारत देश, युवाओं का देश माना जाता है। यहां 25 वर्ष से कम उम्र की आबादी के 50 करोड़ लोग हैं, जो यूरोप की आबादी से बहुत अधिक हैं, उसकी कुल आबादी से भी अधिक दोगुना है और यह कहा जा सकता है कि अमरीका की आबादी से भी ज्यादा हैं, लेकिन यहां की सबसे बड़ी समस्या यह है कि जो युवा लोग हैं, उनमें से जो 14 साल से कम उम्र के बच्चे हैं, उनमें पढ़ाई का रेशियो बहुत कम है। गरीब लोगों और खासकर पिछड़े लोगों, अनुसूचित जाति-जनजाति के लोगों और मुस्लिम लोगों में आज भी शिक्षा का प्रसार बहुत कम है। गरीब लोग अपने बच्चों को मज़दूरी के लिए भेजते हैं, उनके लिए कमाई करना बहुत जरूरी है। जब हमने यह प्राथमिक शिक्षा अनिवार्य बनाई है, तो सबसे पहले मैं मंत्री जी से यह जानना चाहती हूं कि आप अनिवार्य शिक्षा किसे कहते हैं? मैं जिस स्टेट से आती हूं, गुजरात से, वहां आजादी से पहले बड़ौदा स्टेट था, जो गायकवाड़ी स्टेट माना जाता था, मेरा महसाना भी गायकवाड़ी स्टेट के अंतर्गत आता था और वहां यह व्यवस्था थी कि प्राथमिक शिक्षा कंपलसरी थी। उस समय यह कहा जाता था कि जब बच्चा पैदा होता था, तो उसकी वहां नोंध होती थी और जब बच्चा स्कूल जाने लायक उम्र का होता था, तो उस बच्चे के पेरेंट्स को उस बच्चे को स्कूल भेजना कंपलसरी कर दिया गया था।

अगर parents बच्चे को स्कूल नहीं भेजते, तो parents को दंड का प्रावधान था, यानी बच्चा जब स्कूल जाने लायक होता था, स्कूल में दाखिले के बाद अगर स्कूल में वह कुछ दिनों के लिए भी गैर-हाज़िर रहता था, तब भी उसके parents को दंड का प्रावधान था, इसलिए dropout ratio भी बहुत कम था। तो क्या इसके अंदर ऐसा कोई प्रावधान करना चाहते हैं जिससे अनिवार्य शिक्षा का मतलब सिद्ध हो सके?

महोदय, दूसरी बात मैं क्वालिटी एजुकेशन के बारे में कहना चाहती हूं। हम जानते हैं कि जो पैसे वाले लोग हैं, उनके बच्चे तो प्राइवेट स्कूलों में पढ़ते हैं या जो केंद्र सरकार के कर्मचारी हैं, उनके बच्चों के लिए केन्द्रीय विद्यालय, नवोदय विद्यालय बनाए गए, सैनिकों के बच्चों के लिए सैनिक स्कूल बनाए गए, लेकिन गरीबों के बच्चे तो सरकारी स्कूलों में पढ़ते हैं और सरकारी स्कूलों की स्थिति क्या है? वहां कैसी एजुकेशन दी जाती है, उसकी क्वालिटी कैसी है? वहां शिक्षकों की कितनी कमी है और सरकारी स्कूलों में कमरों का पूरा प्रावधान है या नहीं - ये सब बातें आप जानते हैं और आपने इस विधेयक में उनका प्रावधान भी किया है - शिक्षकों की संख्या कितनी होनी चाहिए, स्कूलों के रूम्स के बारे में सब उसमें है, लेकिन क्वालिटी की बात आपने नहीं बताई, इसलिए हम चाहते हैं कि उन बच्चों को भी ऐसी ही क्वालिटी एजुकेशन मिलनी चाहिए, जो पैसे वालों के बच्चों को या केंद्र सरकार के कर्मचारियों के बच्चों को मिलती है।

महोदय, तीसरी बात मैं पाठ्यक्रम के संबंध में बताना चाहती हूं कि अभी हम देखते हैं कि बच्चों पर शिक्षा का बहुत ज्यादा बोझ है। हम देखते हैं कि छोटे-छोटे बच्चे स्कूल जाते समय इतना भारी बस्ता उठाकर चलते हैं कि ऐसा लगता है कि उनका बस्ता उठाने के लिए उनके साथ एक आदमी भेजना पड़ेगा। तो आपने इस बारे में क्या सोचा है? साथ ही गरीब आदमियों के बच्चों को क्वालिटी एजुकेशन के साथ-साथ उनके काम से संबंधित शिक्षा देना भी जरूरी है।

महोदय, मुझसे पूर्व अभी माननीय सदस्यों ने बताया कि प्राथमिक शिक्षा मातृभाषा में होनी चाहिए। अब मैं अपने स्टेट की बात बताऊं कि हमारे यहां प्राथमिक शिक्षा गुजराती में होती है जो कि हमारी मातृभाषा है। दूसरी नेशनल लैंग्वेज हिंदी हमें सिखाई जाती है और तीसरी इंटरनेशनल लैंग्वेज अंग्रेजी हमें सिखाई जाती है। लेकिन कुछ हिंदीभाषी स्टेट्स ऐसे हैं, जहां उनके बच्चों को दो ही लैंग्वेज सीखनी होती हैं - हिंदी और इंग्लिश, इसलिए हमारे यहां के बच्चों पर एक लैंग्वेज ज्यादा सीखने का बोझ पड़ता है। इस वजह से अब की बार हमारी सरकार ने, हिंदी जो कंपलसरी होती थी, उसको optional बना दिया है। इससे आगे जाकर बहुत बड़ी तकलीफ यह होने वाली है कि केंद्र सरकार ने केंद्र की भाषा राजभाषा हिंदी बना दी है और यह प्रावधान किया है कि केंद्र सरकार के ऑफिसों के अंदर जो भी कामकाज होगा, वह हिंदी में होगा। अगर हिंदी को इस तरह से optional बनाकर निकाल दिया जाएगा, तो भविष्य में हमारे यहां के बच्चों की क्या स्थिति होगी? इसलिए मैं चाहती हूं कि इस बात पर भी जोर दिया जाए कि सभी जगहों पर रीजनल लैंग्वेज, नेशनल लैंग्वेज और इंटरनेशनल लैंग्वेज, तीनों सिखाई जानी जरूर है।

सर, मैं एक और बात एग्जाम के बारे में कहना चाहूंगी कि एग्जाम होना भी बहुत अनिवार्य है। बच्चों को अगली कक्षा में भेज दिया जाएगा, लेकिन यदि उसे निचली कक्षा की पढ़ाई पूरी नहीं आती होगी और उसे अगली कक्षा में भेज दिया जाएगा, तो वह बच्चा कभी भी कंपीट नहीं कर पाएगा।

महोदय, एक और बात यह है कि शिक्षकों से जो गैर-शैक्षणिक कार्य लिया जाता है, वह जो प्रयोजन आपने किया है, इसके बारे में मैं कहना चाहती हूं कि आपने प्रावधान किया है कि कुल इतने ही काम लिए जाएंगे। उसमें आपने जनसंख्या की गणना की बात की है या आपने बताया कि लोकल, स्टेट या केंद्र के जो इलेक्शन होंगे, उनसे संबंधित जो कार्य होंगे, वे उनसे लिए जाएंगे। मैं अपने स्टेट की बात जानती हूं और इसीलिए यह कह रही हूं कि आपको ध्यान होगा कि आपने जो आंगनवाड़ी वर्कर्स की बात की थी, उनके लिए भी आपने कुछ काम निर्धारित किए थे, लेकिन हालत यह है कि हमारे यहां के आंगनवाड़ी वर्कर्स से इतने ज्यादा अलग-अलग काम लिए जाते हैं कि उनका जो निर्धारित काम है, वे उसे कर नहीं पाते हैं। इसलिए उन आंगनवाड़ी वर्कर्स ने गुजरात सरकार को एक ultimatum दिया है कि आप सितम्बर तक अगर हमारे निर्धारित काम से ज्यादा काम लेंगे, तो वह काम हम नहीं करेंगे। इसलिए इसके बारे में भी आपको सोचना चाहिए क्योंकि हम कानून तो बना लेते हैं, लेकिन कानून का अमल किस तरह से होता है, उसको भी देखना जरूरी है।

महोदय, आखिरी बात मैं यह कहना चाहती हूं कि छोटे बच्चों के लिए सबसे बड़ी बात होती है कि उनमें सिविक सेंस होना बहुत जरूरी है। मुझे लगता है कि छोटे बच्चों को सिविक सेंस, लैंग्वेज और पर्यावरण से संबंधित बातें अगर प्राथमिक शिक्षा में बताई जाएं और बाकी बातें हम प्राइमरी के बाद की शिक्षा में, माध्यमिक शिक्षा में या उच्च शिक्षा में ले जाएं, तो ज्यादा अच्छा होगा। अगर इन सब बातों पर ध्यान दिया जाएगा, तो मुझे लगता है कि बच्चों के लिए जो हम अनिवार्य शिक्षा की बात कर रहे हैं, वह अनिवार्य, मुफ्त और क्वालिटी एजुकेशन मिलेगी, धन्यवाद।

MR. DEPUTY CHAIRMAN: Shri Kumar Deepak Das. You have got just three minutes.

SHRI KUMAR DEEPAK DAS (Assam): Sir, the Directive Principles of State Policy enshrined in our Constitution lay down that the States shall provide free and compulsory education to all children up to the age of 14 years. It has taken us 58 years, but better late than never. Ultimately, we have a Bill which seeks to achieve this objective. It is a welcome move, Sir. On behalf of the Assom Gana Parishad, I support this Bill. Passing the Bill alone will not serve the purpose or objectives of the Bill. Effective steps need to be taken and sufficient budgetary allocation made for the effective implementation of this Bill. Our able and efficient Minister would be able to get this Bill passed successfully.

Sir, we are talking about the right of all children between the age of six and 14 years to free and compulsory education. In Assam, there is an established procedure of opening up a school: some villagers get together and open primary schools for which they acquire or purchase land. They construct buildings and open up school buildings for children. Thereafter the Government comes forward and the Director of Elementary Education gives permission to run such schools. A few years later, the school gets recognised and after 10-15 years, the school is provincialised on the condition that it has a good building and sufficient number of teachers, land is made available. What is provincialisation in our State? The salaries of teachers is borne by the Government. But, in the last 15 years there are more than 3000 schools which have not been provincialised so far by the Government of Assam. These schools are still running without making free books available to the children, without providing mid-day meals to the children, without building grants, without paying salaries to teachers. The poor teachers used to have only Rs. 300-400 per month's remuneration. Sir, 80 percent of the students studying in these schools belong to BPL families and disadvantaged groups or weaker sections. I would like to know whether this Bill would give some kind of relief to those school-families. The hon. Minister for Education will enlighten us in this regard.

With these few words, I conclude, and compliment the Bill.

श्री उपसभापति : श्री राजनीति प्रसाद।

श्री राजनीति प्रसाद (बिहार) : सर, मुझे कितना समय अलॉट हुआ है?

श्री उपसभापति : चार मिनट।

श्री राजनीति प्रसाद : सर, क्या मेरा समय घट गया है? पहले यह पांच मिनट था।

श्री उपसभापति : आप बोलिए। ....(व्यवधान)... वह बहुत disciplined हैं, चार मिनट कहा है तो चार मिनट ही बोलेंगे।

श्री राजनीति प्रसाद : मैं तीन मिनट में समाप्त करूंगा। महोदय, हमारे यहां एक शिक्षाविद् हुआ करते थे, वे अभी नहीं हैं। वे वेस्ट बंगाल में गवर्नमेंट में थे - नूरूल हसन साहब - यहां शिक्षा मंत्री भी थे। उनका एक लेख मैंने पढ़ा था। उस लेख में उन्होंने कहा था कि एक साल से पांच साल के बच्चे को अगर प्रॉपर ट्रीटमेंट नहीं दिया गया,

उसकी नर्सिंग नहीं की गई, उसको मां के द्वारा शिक्षा नहीं दी गई तो वह लड़का आगे जाकर कुछ भी नहीं कर सकता। अभी जो आपने शुरू किया है कि आप 6 वर्ष से प्राइमरी एजुकेशन देंगे, तो इस प्रकार एक साल से पांच साल तक का जो गरीब बच्चा है, उसका क्या होगा?

नम्बर-2, आपने यह बताया है कि कम्पलसरी एजुकेशन। What is the meaning of compulsory education? कम्पलसरी एजुकेशन का मतलब, जो 6 वर्ष से 14 वर्ष के गरीब लोग हैं, क्या वे कोर्ट मे जाएंगे और कहेंगे कि हमको एजुकेशन दो। विमल जालान साहब ने जो कहा है, वह सही कहा है कि आपको सर्वे करना चाहिए तथा सर्वे करके पता लगाना चाहिए कि हम लोगों को कैसे एजुकेशन दे सकते हैं। सर, चूंकि आपने समय कम दिया है इसलिए मैं नटशैल में कहना चाहूंगा, हमारे सदस्य साबिर अली साहब ने बताया कि इससे पहले भी उनको आंगनवाड़ी दिया है। आंगनवाड़ी मे गांवों में जाकर बच्चों को सिखाते है, उनको पढ़ाते हैं, उनको खिलाते हैं, उनके लिए पैसा मिलता है, यह आपने पहले भी दिया है। उसके बाद आपने सर्व शिक्षा अभियान भी चलाया है। सर्व शिक्षा अभियान में आपने करोड़ों रुपया लगा दिया, लेकिन, सर, उसके जो टीचर्स हैं, उनके बारे में आप जरा देखिए। हमारे साबिर साहब ने बताया है कि वे मैट्रिक पास भी नहीं हैं, वे गलत जगह से सर्टिफिकेट ले आए हैं। आपने कहा कि सर्व शिक्षा में सब को सामान्य शिक्षा दो, लेकिन उसमें टीचर का अपोइंटमेंट आपने नहीं किया। आपने उसमें क्लॉज छोड़ दिया। तो अभी भी जो आपने सर्व शिक्षा अभियान बनाया है, जो कम्पलसरी एजुकेशन का बनाया है Sir, I think it is meaningless because कम्पलसरी तो उनके लिए होगा, गरीब के लिए होगा, लेकिन गरीब की तो आवाज ही नहीं होगी। सर, मेरा यह कहना है कि यहां दो तरह की शिक्षा होगी, पहली शिक्षा जो गरीब के लिए है और दूसरी शिक्षा के लिए कोई कम्पलसरी की जरूरत नहीं है, क्योंकि उनको तो शिक्षा मिलती ही है, वह तो डोन बासको में पढ़ते ही हैं, डी.पी.एस. में पढ़ते ही हैं। तो उनके लिए कम्पलसरी की जरूरत नहीं है। इसलिए विमल जालान साहब ने जो कहा है, बहुत अच्छा कहा है कि पहले सर्वे करिए कि कैसे-कैसे लोगों को हमको कम्पलसरी एजुकेशन देना है, उनको चूज करिए, उनको इकट्ठा करिए और इकट्ठा करने के बाद टीचर्स का अपोइंटमेंट करिए। दुनिया के हर देश में टीचर की इज्जत होती है। अमेरिका में जो प्राइमरी टीचर होता है उसको प्रोफेसर से ज्यादा पैसा मिलता है, ज्यादा जनख्वाह मिलती है, उसके रहने की व्यवस्था होती है, लेकिन हमारे यहां पर जो प्राइमरी टीचर्स होते है वे सातवी पास भी नहीं होते हैं, आठवी पास भी नहीं होते हैं और वे कम्पलसरी एजुकेशन में आ जाते हैं और हमारे यहां बच्चों को पढ़ाने लगते हैं। इसलिए, सर, मैं विमल जालान साहब की बातों का समर्थन करता हूं। मैं एक दूसरी बात और कहता हूं, क्योंकि यहां बहुत काबिल वकील हैं, बहुत बड़े वकील हैं, हमें उन पर नाज है। सर, मैं यह कहना चाहता हूं कि सामान्य शिक्षा का प्रोविजन होना चाहिए, यानी अमीर का बच्चा भी और गरीब का बच्चा भी एक साथ एजुकेशन पाएगा। डा. राम मनोहर लोहिया ने कहा था कि * के बेटे को भी और महारानी के बेटे को भी एक साथ एजुकेशन मिलना चाहिए। लेकिन जब तक dual policy of education होगा, हमारे देश में कुछ भी नहीं हो सकता है। इसलिए रिसर्च करिए।

डा. (श्रीमती) नजमा ए. हेपतुल्ला : उनके द्वारा वह वर्ड नहीं बोलना चाहिए।

श्री उपसभापति : * वर्ड अनपर्लियामेंट्री है उसे निकाल दीजिए।

श्री राजनीति प्रसाद : *डा. लोहिया साहब ने कहा था कि एक सामान्य शिक्षा होनी चाहिए। सामान्य शिक्षा यह है कि यानी * का बेटा और महारानी का बेटा और गरीब का बेटा ...**(व्यवधान)**...

श्री उपसभापति : * निकाल दिया गया है।

*Expunged as ordered by the Chair.

श्री राजनीति प्रसाद : सर, मैं यह अपनी बात नहीं कर रहा हूं, यह डा. लोहिया जी की बात कर रहा हूं। गरीब का बेटा, जो have-nots है उसका बेटा और अमीर का बेटा सब की एक समान शिक्षा होनी चाहिए। इसलिए मैं कह रहा हूं कि आपने ऐसा नहीं किया है।

सर, मै आखिरी बात कहना चाहता हूं। आप रिसर्च करिए कि गरीब का बेटा और अमीर का बेटा तथा कलेक्टर का बेटा और चपरासी का बेटा दोनों एक ही जगह पढ़ेंगे तो उस स्कूल का एजुकेशन सही होगा, उसमें पढ़ाई ठीक होगी, वहां पढ़ाई की क्वालिटी भी अच्छी होगी। इसलिए मैंने कहा कि अगर आपने * शब्द को निकाल दिया तो कोई बात नहीं है। ...**(व्यवधान)**...

श्री उपसभापति : वह शब्द तो निकाल दिया है, आप रिपीट क्यों कर रहे हैं?

श्री राजनीति प्रसाद : मैंने कहा है, उसका गरीब से मतलब है। * मैंने कोई अजीब शब्द का इस्तेमाल नहीं किया है। ...**(व्यवधान)**...

श्री उपसभापति : आप उस शब्द को बार-बार क्यों बोलते हैं?

श्रीमती वृंदा कारत : आप बेटी शब्द क्यों नहीं बोलते हैं?

श्री राजनीति प्रसाद : हां, बेटा कहा है। बेटा और बेटी दोनों एक ही बात होती है, इसलिए दोनों में कोई खास फर्क नहीं है। ...**(समय की घंटी)**... सर, अंत में, मैं एक बात कहता हूं कि मैंने कभी यह नहीं कहा कि आप हिन्दी में बोलिए या अंग्रेजी में बोलिए। मैंने ऐसा नहीं कहा था। पढ़ाई हिन्दी में हो, अंग्रेजी में हो, उसके बारे में, मैंने नहीं कहा था। जिन लोगों को हिन्दी आती है, जो लोग हिन्दी बोल सकते हैं, उनको हमारे यहां हिन्दी में बोलना चाहिए। केवल शो करने के लिए मत करिए कि हम अंग्रेजी जानते हैं। सर, मैंने यह सब बातें कही हैं। हमारे एजुकेशन मिनिस्टर साहब यहां बैठे हैं। वह कुछ नया रिसर्च करें, वह नया करिश्मा करें, ताकि गरीब का बच्चा भी एजुकेशन पा सके। धन्यवाद।

SHRI BHARATKUMAR RAUT (Maharashtra): Sir, I wish to congratulate hon. Minister and the Government for bringing in this path-breaking Bill, though I am afraid that my vote of congratulation will go futile because this is going to be a non-starter. This Bill going to be a non-starter because its provisions, though well intended, are far from reality and, therefore, I wish that hon. Minister again takes a look at the Bill, takes discussions into account and bring in a fresh Bill which will be more comprehensive and more effective. Sir, when I was in the primary school, at that time, the Kothari Commission report came in. That was the Nehru-Shastri era. If this Bill would have come at that time, then it would have been much more effective. But many years have passed in between and most of the time, this Government has not been able to bring this Bill. This Bill provides for compulsory education between the age group of 6-14 years up to eighth standard. What happens next? Once a child completes his education up to eighth standard, what happens after that? Is he really educated to the real parameters of eighth standard? I come from Maharashtra which is the most progressive State in the country. In my State, when hundred children go to school in the first standard, only eighteen reach up to the level of SSC, So, the rest eighty-two students drop out in

*Expunged as ordered by the Chair.

between. In Maharashtra, we have provision of free education for girls. It means that the girls do not get out of school for want of money. Then, what is the reason of these dropouts? This is for many reasons. Firstly, there are socio-economic conditions which are outside the school, or, the education that is given in the school is sub-standard or irrelevant to the students. That could be irrelevant because children and parents are not interested in the academic education that they get in the school. My request to the hon. Minister is that when we are talking of compulsory education, please bring in vocational education in the curriculum. This pure academic education does not mean anything to many students in their real life. So, give them education of many trades which can be used by them immediately after the schooling is over, after the eighth standard is over. I hope this provision can give much better sense to the purpose of the Bill.

Sir, there is clause 33 which talks of National Advisory Council and an amendment which talks of the State Advisory Councils. It is a good thing that you are bringing in a council of fifteen members coming from the field of education to govern the situation. My request to the hon. Minister is to give them some powers, some executive powers. As far as advisory powers are concerned, we all know what happens to the advices given by the advisory committees. Those advices remain only on the file. Therefore, give some executive powers by which they can implement this Bill more effectively.

You have made provision for the National Council and the State Councils. I think, again, there would be crisis. Many States perhaps those which are being governed by the Opposition parties – will not go with the National Council. Since this is a Central Bill, there should be only one Council, only one National Advisory Council, which should govern everything. You can set up sub-committees which will work under the Council.

Sir, there is a schedule in which what type of education, what type of teachers, what type of buildings, and, all that is mentioned. Sir, the Minister comes from one class of society, and, I am afraid that he does not realise the ground realities. You have given the norms about what type of teachers, or, what type of school buildings are required. Let me tell you, Sir, in Maharashtra, there are still 7,500 schools which are one-teacher schools. What are you talking, Sir? Sir, you are talking of one teacher behind every thirty students. There is only one teacher from class one to seven. What are we talking? What is the reality? How are you going to implement it in three years? Sir, another thing is school buildings; you have given a very good list of what type of schools are required. Yes, it is a model school. I am happy if these types of schools come into effect in India. But, Sir, in Maharashtra, in rural areas, in semi-rural areas, schools are run in stables, in the *verandas* of the village Panchayat, under the trees. When are you going to construct the buildings? Why do you give such dreams to the people and add to their injuries. Sir, I think, you should sit back and give a relook to this Bill. ...**(Time-Bell rings)**... Sir, I will take one minute only.

Sir, there is a memoranda regarding delegated legislation. Sir, since this Bill will be implemented at the State level, there are many delegated legislations, subordinate legislations, like sub-clause (2) (d) empowers the appropriate Government to make rules to provide for manner of reimbursement of expenditure to the school, or, sub-clause 2(h) empowers the appropriate Government to provide the form, the period, the manner and the conditions for issuing certificate of recognition.

These are very vital things which will make the enactment successful or failure. I have a request, Sir. We have subordinate legislation committees in both the Houses. Send it to the Subordinate Legislation Committee. Let them scrutinise it. Let them see what are the lacunae in this. Let them

take witnesses at the State level, *taluka* level, or, village level. Bring them in, and, bring much more comprehensive Bill. Thank you very much, Sir.

डा. (श्रीमती) नजमा ए. हेपतुल्ला (राजस्थान) : सर, मैं मंत्री जी से एक बात पूछना चाहती हूं। मंत्री जी भी इस बात से खुश होंगे।

श्री उपसभापति : वह खुश तो होंगे, लेकिन टाइम का भी ख्याल रखिएगा।

डा. (श्रीमती) नजमा ए. हेपतुल्ला : माननीय मंत्री जी, आपको याद होगा, जब उड़ीसा में तूफान आया था, तो राज्य सभा के सब सदस्यों ने रुपए दिए थे। मुझे लगता है कि आप भी मैम्बर थे, आपने भी दस लाख रुपए दिए थे। उससे राज्य सभा के सदस्यों ने उड़ीसा में स्कूल बनवाया। मैं अपना experience बता रही हूं। इस स्कूल में हम लोगों ने ये इंस्ट्रक्शन दिए थे कि खास तौर पर लड़कियों के लिए toilets बनने चाहिएं। जब बाद में, स्टडी की, तो पता चला कि लड़कियों का ड्रॉप आउट कम हो गया क्योंकि वहां पहले toilets नहीं थे। अगर वहां पर proper toilets की फैसेलिटी नहीं होती है, तो गांव के स्कूल से लड़कियां ड्रॉप आउट होती हैं और शहरों के स्कूलों से भी होती हैं। आप जब कभी भी कोई स्कीम बनाएं, उसमें लड़कियों के टॉयलेट के बारे में सोचेंगे तो ड्राप आउट कम हो जाएगा।

SHRI KAPIL SIBAL **:** Mr. Deputy Chairman, Sir, I am deeply grateful to the hon. Members of the House for their very valuable participation on a matter, which, I think, is not just of national importance, but will determine the course of India in the 21st Century. And, therefore, I am exceptionally grateful to the hon. Members who have both supported the Bill and, at the same time, expressed their concerns about how it is going to be implemented.

I think that we must recognise the fact that this is not an easy task. What we are embarking upon is a national enterprise. 1937 में महात्मा गांधी ने यूनिवर्सल एजुकेशन की बात कही थी, इसको 72 साल हो गए, 1947 में आजादी मिली, उसको भी 62 साल हो गए, कई Commissions बने, 1993 में सर्वोच्च न्यायालय ने निर्णय लिया कि एलीमेंट्री एजुकेशन एक मानव अधिकार है और डायरेक्टिव प्रिंसिपल में आर्टिकल 45 के अंतर्गत जो लिखा गया था, वह लोगों को मिलना चाहिए। उसके बाद भी कुछ नहीं हुआ। 1993 के बाद उन्नीकृष्णन् जजमेंट के बाद भी कुछ नहीं हुआ। 2002 में 86th कांस्टीट्यूशन अमेंडमेंट पारित हुआ। हम सभी ने सहयोग दिया। आर्टिकल 21A बना और उसमें लिखा गया कि हां, हम इस मानव अधिकार को असलियत बनाएंगे और उसके लिए एक विधेयक लाएं। कोई विधेयक नहीं लाया। वर्ष 2002 बीत गया, 2003, 2004 बीत गया, उसके बाद यू.पी.ए. सरकार आई, तब CABE कमेटी बैठी। जब CABE कमेटी बैठी तो मैं उसका चेयरमैन बना। मेरी अध्यक्षता में यह बिल ड्राफ्ट हुआ। उसके बाद भी कुछ नही हुआ। चर्चा हुई, कैसे पैसा लिया जाए, कहां से लिया जाए, कहां से आएगा, कैसे करेंगे, एक मॉडल बिल सर्कुलेट हुआ। उसके बाद भी कुछ नही हुआ। अब उन्नीकृष्णन की जजमेंट को भी सोलह साल हो गए हैं। अब और कितने दिन इंतजार करें? क्या और पचास साल? देश के भविष्य का क्या होगा? बच्चों के भविष्य का क्या होगा?

Some people said, 'Send it to the Committee on Subordinate Legislation, Let us do this. Let us wait for another opportunity. How many years we will think about this? Which national enterprise is easy? Is bringing down Co2 levels in the atmosphere easy? To deal with global warming, if we require a consensus, nationally and internationally, is it easy? To deal with meltdown in the economy and what kind of packages we give to people of our country, is that easy? Think of NREGA. Is that

easy? Nothing is easy. We are dealing with one billion people. Some people have said that it is not easy and it is difficult to implement. I agree that it is difficult to implement. But we have to be partners in that national enterprise.

प्रदेश, केंद्र में सरकार, बच्चे, माता-पिता, स्कूल कमेटीज़, टीचर्स जब तक हम इकट्ठे होकर यह काम नहीं करेंगे तब तक देश का भविष्य कभी उज्जवल नहीं हो सकता है। यह हमें करना है, अवश्य करना है। यह हमें सोलह साल पहले करना चाहिए था, आज बहुत देर हो चुकी है। हम इसे करेंगे और करके रहेंगे। पहली बात तो मैं यह कहना चाहता हूं।

दूसरी बात मैं यह कहना चाहता हूं कि we must understand the meaning of this Bill and the title makes it quite clear – the Right of Children to Free and Compulsory Education. It's only talking of a right and an obligation–the right of the children to free education and the compulsion or the obligation on the Government to impart that education to the children. It doesn't talk about content of education. This is not a Bill dealing with the content of education. यहां बार-बार बात आ रही थी कि बच्चों को किस किस्म की शिक्षा दी जाएगी। यह इसके बारे में थोड़े ही न है! इसके बारे में इस बिल में यह प्रावधान रखा गया है। मैं आपका ध्यान सेक्शन 29(2) की ओर आकर्षित करना चाहता हूं। Section 29(2) says, "The academic authority, while laying down the curriculum and the evaluation procedure under sub-section (1), shall take into consideration the following, namely:- (a) conformity with the values enshrined in the Constitution; (b) all round development of the child; (c) building up child's knowledge, potentiality and talent; (d) development of physical and mental abilities to the fullest extent;...." वह सब लिखा है। It further says, "......(f) medium of instructions shall, as far as practicable, be in child's mother tongue; (g) making the child free of fear, trauma and anxiety....." जो आप बस्तों की बात कर रहे थे। यह सब इसमें है। That's not the part of this Bill because this Bill is concerned only with two issues – the right of the child to be educated and the obligation on the Government to give him that education. The rest of it is yet to be implemented because we will formulate a policy to ensure that all the children in the schools get the kind of education that is required to make them good citizens of this country. इसमें कोई दो राय नहीं हो सकती। हमार Constitution हमारे सामने है, हमारी values हमारे सामने हैं। उसके अंतर्गत हम यह काम करेंगे। National Curriculum Framework है। कुछ लोग कह रहे हैं कि National Curriculum Framework के कोई मायने नहीं हैं। Uniform School System बिल्कुल नहीं है। The NCF of 2005 is based on the system of education which is capable of responding to India's diversity of geographical and cultural milieus while ensuring a common core of Constitutional values along with academic component. This is NCF. This is what is going to be taught to the children of our country. Now, it's not easy because there are twenty crore children; out of which, some estimates suggest that ten crore are out of school. Now we need to get them to school. यह कहना कि हम यह कल कर लेंगे, परसों कर लेंगे, यह भी सम्भव नहीं है। हमने एक बहुत बड़ा अभियान शुरू किया है, एक बहुत बड़ा national enterprise शुरू किया है। When you have a dream, you don't build a garden so that everybody can walk. You look at the sky so that people can aspire. So, we need to go forward and I need everybody's support.

Yes, you will have your doubts and you should have your doubts. Yes, you should make suggestions and tell us how best to implement it. अभी माननीय सदस्य ने कहा कि State Advisory Committee बनाएंगे, तो जहां आपकी Centre की पार्टी पॉवर में नहीं है, वह इसमें सहयोग नहीं देगी। अगर आप भी यहां संसद में यह कहेंगे, तो कौन सहयोग देगा? आपको कहना चाहिए कि हम सहयोग देंगे, क्योंकि यह बीजेपी, कांग्रेस या किसी और पार्टी का सवाल नहीं है, यह देश के भविष्य का सवाल है। ...**(व्यवधान)**...

डा. (श्रीमती) नजमा ए. हेपतुल्ला : हम लोग सहयोग दे रहे हैं।

श्री कपिल सिब्बल : उन्होंने कहा कि आप क्यों State Advisory Committee बनाते हैं, वहां गड़बड़ हो जाएगी। यह कोई political मामला है ही नहीं, इसमें कौन-सी politics है? ...**(व्यवधान)**...

डा. (श्रीमती) नजमा ए. हेपतुल्ला : इसे initiate ही हम लोगों ने किया।

श्री कपिल सिब्बल : आपने 2002 में constitutional amendment लाया, उसके बाद कोई law नहीं बनाया। 3 साल बीत गए। आपको मालूम था कि आप implement कर ही नहीं सकते थे। मैं इस विवाद में नहीं पड़ना चाहता। मैं इस पर बहस भी नहीं करना चाहता। हम political parties के above होकर यह बहस करेंगे। तो नजमा जी, आपने जो पहला सवाल उठाया, आपने कहा था कि मुझे नेबरहुड स्कूल का कॉन्सेप्ट समझा दीजिए। अगर आप बिल को सही तरीके से पढ़ेंगे तो आपको जवाब मिल जाएगा और कानीमोझी जी ने जवाब दे भी दिया था। आप ही ने पूछा था कि चूंकि डिफरेंट स्टेट्स में डिफरेंट परिस्थितियां हैं, इसलिए आप नेबरहुड स्कूल को कैसे डिफाइन करोगे? वह सवाल तो आपने दे दिया है, लेकिन बिल में हमने लिखा है कि नेबरहुड स्कूल का डेफिनेशन एप्रोप्रिएट गवर्नमेंट करेगी। अब किसी देहात में नेबरहुड स्कूल कहां पर बनना चाहिए, वह केन्द्र सरकार को तय नहीं करना है और न ही वह करना चाहती है। इस चीज़ को राज्य सरकार तय करेगी कि वहां आपका नेबरहुड स्कूल होना चाहिए। यह हक हमने राज्य सरकार को दिया है in section 37, sub-clause 2(b), which says: The area or limits of establishment of a neighbourhood school under section 6.

डा. (श्रीमती) नजमा ए. हेपतुल्ला : कौन से सैक्शन में है?

श्री कपिल सिब्बल : यह section 37 है। The appropriate Government will frame rules in respect of that because we want partnership with the States to move forward; we want partnership with the community. In this Bill, for example, there is a provision which says that there will be a management committee of the school comprising of civil society, and that management will actually suggest to the appropriate Government of building plan for the school for the future. So, we want active civil society participation in actually the management of the facilities provided in the school. तो जहां तक नेबरहुड स्कूल का सवाल है it is quite clear in the legislation that this is something that will have to be decided upon by the appropriate Government but the condition is that there should be a school in every neighbourhood. ताकि गरीब का बच्चा हो, अमीर का बच्चा हो, देहात का हो, किसान का हो, झुग्गी-झोपड़ी का हो, कहीं का भी बच्चा हो, उसके लिए शिक्षा उपलब्ध होनी चाहिए। फिर आपने कहा कि आप फिनांसिज़ कहां से लाओगे? अभी तो बिल पारित ही नहीं हुआ है, तो हम उसको प्रोवीज़न पहले कैसे कर दें? जब बिल पास हो जाएगा, तब बात आएगी कि हम फिनांसिज कहां से लाएंगे और उसके लिए हमने बात शुरू कर दी है। Our National University for Education, Planning and Administration is already on the job preparing up the estimates of funds required for implementing the provisions of the Bill. Once the Bill is enacted, we

will make a demand for additional resources in revised estimates 2009-10, and we have already presented our fund requirements before the 13th Finance Commission calculated on the basis of parent teacher norms of the RTIE Bill.

डा. (श्रीमती) नजमा ए. हेपतुल्ला : यह कहां पर लिखा है?

SHRIMATI BRINDA KARAT: What is the Centre-State share?

श्री कपिल सिब्बल : अभी मैं आपको सब बताऊंगा, आप देखिए मैं जवाब दे रहा हूं।

MR. DEPUTY CHAIRMAN: He has not concluded. He has just started.

श्री कपिल सिब्बल : मैं जवाब दे रहा हूं, सभी चीजों का जवाब दूंगा। बिल में लिखा क्या है कि जब यह पारित होगा तब हम तय करेंगे कि सैंट्रल गवर्नमेंट का इसमें क्या हिस्सा होगा और अन्य स्टेट गवर्नमेंट्स का क्या शेयर होगा। वह अभी तक हमने तय नही किया है। लेकिन ...**(व्यवधान)**... One Second. Please don't interrupt. One Second ..*(Interruptions)*... वह अभी हमने तय नहीं किया है, उसे तय करेंगे। जो आज के दिन अगर सर्वशिक्षा अभियान की बात करते हैं, the ratio is 65:35, and by the end of the Eleventh Plan, it is going to be 50:50. So, we will have to decide a figure as to what should be the contribution of the Central Government and what will be the contribution of the State Government, and once we decide that, if a State Government, we believe, does not have the finances to actually meet the requirements and the obligations under the Bill, we have the right to refer that to the Finance Commission, and the Finance'Commission before November 2009 will be able to suggest to that State Government as to what is the way forward for the purposes of those finances. All that is provided, all that is set out in section 7. So, once Parliament passes a Bill, it is a fundamental right of the child to get education, there is no way in the world that we don't have finances to implement. This has to be. It shall be done. Now, you are worried as to what should be the State share and what will be the share of the Centre. That is something we will decide. That is exactly what we are going to decide in the very near future. ...*(Interruptions)*...

SHRIMAT1 BRINDA KARAT: Sir, there has ..*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Let him complete. ..*(Interruptions)*... नहीं, उन्हें बात पूरी करने दो, अभी उन्होंने अपनी बात पूरी नही की है ...**(व्यवधान)**... उन्हें पूरी बात करने दो ...**(व्यवधान)**...

श्रीमती वृंदा कारत : सर, मैंडेट बनाना है ...**(व्यवधान)**...

श्री एस. एस. अहलुवालिया (झारखंड) : सर, इसके बारे में इन लोगों ने जो एप्रिहैशन डायरेक्ट किया ...**(व्यवधान)**... फाइनांसिज़ की क्या व्यवस्था है ...**(व्यवधान)**...

श्री उपसभापति : उन्होंने कह दिया है ...**(व्यवधान)**...

श्री एस. एस. अहलुवालिया : अब मंत्री जी कह रहे हैं कि बिल इनैक्ट होने के बाद राज्यों से बात करेंगे और तब वह डिसाइड करेंगे। ...**(व्यवधान)**... राज्यों से तो पहले बात करनी चाहिए। ...**(व्यवधान)**...

श्री कपिल सिब्बल : नही-नही, मैंने यह नही कहा ...**(व्यवधान)**...

श्री उपसभापति : नही-नही ...**(व्यवधान)**... उन्होंने कहा कि फाइनांस कमिशन ...**(व्यवधान)**...

श्री कपिल सिब्बल : अगर आप मुझे ध्यान से सुनेंगे, मैंने कहा कि शेयर के मामले में हम डिसाइड करेंगे ...(**व्यवधान**)...

श्री एस.एस. अहलुवालिया : फंडामेंटल प्राइज़ में आप ज्यादा ही ले लेंगे ...(**व्यवधान**)... और फिर उसके बाद आप शेयर डिसाइड करेंगे। शेयर क्यों डिसाइड करेंगे? ...(**व्यवधान**)...

श्री कपिल सिब्बल : शेयर के मामले में हम डिसाइड करेंगे, यह कहा था मैंने ...(**व्यवधान**)...

श्रीमती वृंदा कारत : एकतरफा तय करेंगे ...(**व्यवधान**)...

श्री कपिल सिब्बल : मैंने शेयर के मामले में कहा था कि आप बोल सकते थे और आपको बोलना चाहिए था ...(**व्यवधान**)...

श्री एस.एस. अहलुवालिया : नहीं-नहीं शेयर तो पहले डिसाइड करना चाहिए था ...(**व्यवधान**)...

श्री उपसभापति : ऐसा नहीं है। Let him reply. Then you can speak clarifications.

डा. (श्रीमती) नजमा ए. हेपतुल्ला : सर, जब बिल मूव किया जाता है, तो मंत्री पहले उसकी introduction देता है। मंत्री जी ने तो कुछ बताया ही नहीं। अब हम लोगों को उनके दिल की बात कैसे मालूम कि ...(**व्यवधान**)... शुरू में ही बता देते तो हम क्यों पूछते? ...(**व्यवधान**)...

श्री कपिल सिब्बल : सर, ठीक कहा नजमा जी ने ...(**व्यवधान**)... मैं सोचता हूं कि शायद इस बिल को अगर पढ़ा जाता तब neighbourhood schools का तो पता चल जाता। ...(**व्यवधान**)... और सेक्शन 7 'finance provisions' का भी पता चल जाता ...(**व्यवधान**)...

डा. (श्रीमती) नजमा ए. हेपतुल्ला : नहीं, आपकी कमेटी की जो रिपोर्ट है, ...(**व्यवधान**)... आप उसको भी तो पढ़ लीजिए।

श्री उपसभापति : नहीं। इसमें टोका-टोकी मत कीजिए। ...(**व्यवधान**)...

SHRI KAPIL SIBAL: Section 7 is quite clear. It is in bold letters. It is quite clear as to what the procedure is going to be.

Anyway, Sir. The two questions that the hon. Member has raised are: as to how the finances are going to be taken care of and what is the definition of "a neighbourhood school"? . There is one reference that the hon. Member has made to Dr. Macaulay. I am given to understand that actually- and she should check it out – that that is a fake quotation, and it is proven to be so. But that is something that we can talk about later.

SHRI S.S. AHLUWALIA: When you say that it is a 'fake' quotation, you must prove it.

SHRI KAPIL SIBAL: No, no; I said, "I am given to understand"

SHRI S.S. AHLUWALIA: No, no; you must prove it; I mean, what is there.

SHRI KAPIL SIBAL: I said 'I am given to understand.'

SHRI S.S. AHLUWALIA: I know who has given you.

SHRI KAPIL SIBAL: I know that.

SHRI S.S. AHLUWALIA: One of your colleagues has given you.

SHRI KAPIL SIBAL: Now, Mr. Deputy Chairman, Sir, the next point raised by Mr. Bagrodia is. ...*(Interruptions)*...

SHRI S.S. AHLUWALIA: You just prove that it is fake. ...*(Interruptions)*... It is on the net.

SHRI KAPIL SIBAL: I said, "I am given to understand that it is a fake quotation. She should check it out."

SHRI S.S. AHLUWALIA: No, no; if it is a fake quotation then you must say that; authenticate it.

SHRI KAPIL SIBAL: I did not say that. I only said, "I am given to understand."

MR. DEPUTY CHAIRMAN: Mr. Ahluwalia, he said, "I am given to understand." That is okay.

SHRI KAPIL SIBAL: That is all. Nothing wrong with it!

Sir, Mr. Bagrodia raised the other point, which several other Members have also raised, that 25 per cent of this reservation is violative of the Constitution. I want to just inform the hon. Member that under the Delhi Education Act, there is, already, a 15 per cent reservation on these very terms, and that is being upheld by the Court, So, I don't think, we should worry about any possibility of it being declared 'unconstitutional'. But I would like to mention. ...*(Interruptions)*...

SHRI D. RAJA: How do you define that? That is the issue. ...*(Interruptions)*... How do you define that?

SHRI KAPIL SIBAL: That is, again, left to the State Governments because they provide appropriate guidelines as to how the 'reservation' is to be done. Everything is not going to be done under the Central Government. As I said, the Central Government only provides for two things - that the States and the Central Government must be in partnership to provide free and compulsory education to all children in this country. There are many areas; that will have to be sorted out in terms of how to reimburse the reservation that is to be done.

SHRI D. RAJA: That is why it is liable to different interpretations.

SHRI KAPIL SIBAL: No, no; it is not liable to any different interpretations; "25 per cent reservation" is not liable to any different interpretations; "25 per cent reservation" is a 25 per cent reservation; there is no liability. The issue is that we have also set out. ...*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: What about the minority institutions?

SHRI KAPIL SIBAL: We have also set out a formula as to how the reimbursement is to take place. For every 'reservation' that is done, the reimbursement will take place on the basis of a norm which is based on the amount that the Government spends on that child in a Government school. And that is the amount of reimbursement; that will be given to that private school which teaches that child who is in the 'reserved' category. And that child has to be from the neighbourhood, which has, already, been done in the Delhi Education Act.

As far as minority institutions are concerned, the Supreme Court judgment quite clearly says that the minorities can have 50 per cent of their own community in an educational institution. And I think

that minorities will not object to serving the interests of communities in the fashion that is set out in this Bill.

डा. (श्रीमती) नजमा ए. हेपतुल्ला : आप सोच रहे है। ...**(व्यवधान)**... आपने बात की है क्या?

श्री कपिल सिब्बल : आप फिक्र न कीजिए। हमने बात की हुई है।

As far as Mr. Bagrodia is concerned, I just wanted to mention this fact to him. He talked about six per cent of GDP. And if the States continue to collaborate with the Central Government and increase their levels of investment in education, over the years, I think, by the end of the Eleventh Plan, we will have, almost, a 5.86 per cent of GDP in education. As far as the Central Government is concerned, it is increasing its investment in education. We never had the kind of investment in education in the history of this country as we had in the UPA Government since 2004. It is now almost 19 per cent of the Budget, where the GDP has gone up substantially. So, this kind of money that has been allocated to education has never been given before in the history of the country. The only problem is that the States' share is declining. If the States' share does not decline and they also consider themselves as partners in the national enterprise, I am sure, we will reach the figure of six per cent of the GDP by the end of the Eleventh Plan.

We talked about Plan allocations for higher education and other things. We are not really concerned with those issues here. Rajeeveji also talked about neighbourhood school system. जिस के बारे में मैंने अभी बता दिया है और financial allocations की लगभग वही बात उन्होंने भी कही। तिवारी साहब ने कहा कि आप दोनों चीजें - एक Education For All और Free Market Economy नहीं चला सकते। अब मुश्किल यह है कि इस देश मे अगर 100 बच्चे स्कूल जाते है तो केवल 12 बच्चे यूनिवर्सिटी तक पहुंचते हैं, 88 बच्चे तो यूनिवर्सिटी जाते ही नही और सरकार के पास तो इतने साधन नहीं है कि सब-के-सब के लिए स्कूल्स खुल जाएं, क्वालिटी स्कूल्स खुल जाएं। तो Private Enterprises को निश्चित रूप से आना पड़ेगा, उन को भी सहयोग देना पड़ेगा और मैं चाहता हूं कि वे सहयोग दें और वे दे भी रहे हैं। तो मैं नहीं समझता कि इन दोनों चीजों में कोई contradiction है। अगर हम चाहें, क्योंकि 2020 में, जैसे विश्व चल रहा है, हमारे देश में लगभग 47 मिलियन सरप्लस बच्चे होंगे। उन को employment कैसे दें और जहां यूरोप में declining population है, हमारे देश में वह सरप्लस है, तो in a way, we will be producing citizens in this country who will, in fact, not only just serve India but also the global community. If we want the citizens to serve India and the global community, we must make them competitive; otherwise, we will not be able to do that.

Then I come to the issue of language that has been raised. It is very important for the child to be taught in his mother tongue. It is exceptionally important because that gets him closer to his roots. That is all about Indian culture. But it is equally important for him to be educated in Hindi, to learn Hindi language, because that integrates him with the rest of the society in India. So, his mother tongue takes him into his roots and Hindi integrates him with the rest of India. But if he needs to move across the borders, if he needs to have trans-national opportunities, then he needs English.

So, all the three are important: your mother tongue for your roots, Hindi for integration and English for moving across the boundaries for realising opportunities both in terms of employment and competing with the rest of the world. You can't denigrate anyone of them. Therefore, it must start at that level. Therefore, I am happy that you raised the issue of language and I got this opportunity to put the Government's thoughts before the hon. Members of this House.

फिर डा. मलयसामी साहब ने कई बातें कहीं और कहा कि this is a belated legislation. मैं तो नहीं समझता कि belated है। As I suggested at the outset, this is many, many years too late. He has also mentioned that we must clarify as to what is our primacy. Is it elementary education or is it higher education? Again, my answer is that both are equally important. You can't do one without the other. If you don't have a critical stock of young educated people in Class-XII, you would not be able to do much in higher education. So, the base, the foundation, of higher education is a critical mass of people at the level of elementary education. एक बात जो सभी माननीय सदस्यों ने कही कि आप जीरो से 5 साल के जो बच्चे हैं, उनके बारे में कुछ नही सोच रहे हैं और जो 14 साल के बाद जो education होने वाली है, उसके बारे में कुछ नही सोच रहे है। Now, this Bill that has been initiated here is under article 21A of the Constitution? What does article 21A say? It says, "The State shall provide free and compulsory education to all children of the age of 6 to 14 years in such a manner as the State may by law determine". So, this is a legislation under article 21 A, and we have to provide for education for children between 6 and 14 years. It has nothing to do with children between 0 and 5 years of age. At least, this legislation cannot go beyond article 21 A. Therefore, in this legislation, you cannot incorporate provisions outside 21 A, nor can you incorporate provisions beyond 14 years. We have the माध्यमिक शिक्षा अभियान, in which we are moving forward...

THE LEADER OF OPPOSITION (SHRI ARUN JAITLEY): Article 21A is an enabling provision. It is not a bar that you cannot do it.

SHRI KAPIL SIBAL : I am not saying that. This is an obligation that we are fulfilling under article 21A. So, the legislation is in the context of 21 A, and, that is why, we have not dealt with 0-5 years. We have the plenary powers to deal with any subject. But I am only talking about this legislation being under article 21 A, and, that is why, 0-5 and above 14 years has not been dealt with in this. I just wanted to clarify that for the hon. Members of this House. कई माननीय सदस्यों ने migrant labours के बारे में बात की। मैं भी कल अपनी constituency में गया था। एक जगह मैंने देखा कि वहां कई बच्चे थे और वह मंडी में बैठे थे। मैंने उनसे पूछा कि आप किस स्कूल में जाते हैं? उनका कोई जवाब नहीं आया, क्योंकि ये migrant labourers बाहर से आते हैं, बिना families के आते हैं। मैंने सुना है कि कुछ migrant labourers मध्य प्रदेश से महाराष्ट्र में भी जाते हैं। जब cotton picking season हो तो वहां भी बच्चे जाते हैं। इनको वेतन भी नहीं दिया जाता। This is a very serious problem. यह कहना कि यह Bill उस Problem को solve कर देगा, यह भी गलत होगा, लेकिन यह एक शुरूआत है। इस शुरूआत में हम सबको भाग लेना है और इसको आगे बढ़ाना है। And, to the extent that we have provided for in this Bill, if there is any violation of the Right to Education Act,

then, to that extent, the National Commission on Protection of Child Rights will take cognisance of it and take action. We have provided for that in the Bill. So, it is not that we are not taking cognisance of that fact. But it is not something that will be removed overnight. So, we are dealing with it and we are taking cognisance of it. Actually, this Bill performs ten functions, according to me. First, as I mentioned, free education for the child; second, the obligation of the State to provide free education; third, the nature of curriculum being consistent with our constitutional obligations that is also provided for in the Bill – and fourth, quality of education. Why do I say quality? There is a provision of this Bill as to what the eligibility conditions of a teacher will be. That is also going to be provided, and standards are going to be set. I will just refer you to that provision of the Bill. Clause 23 (1) of the Bill states: "Any person possessing minimum qualifications, as laid down by the academic authority, authorised by the Central Government, by notification, shall be eligible for appointment as a teacher." So, the academic authority will set out the minimum qualifications; वही teacher appoint होगा। अन्य कोई teacher appoint हो ही नही सकता। साथ-साथ यह भी लिखा है कि अगर उसके पास ऐसी कोई qualification नही है तो पांच साल में उसको वे qualifications लेनी पड़ेगी। Clause 23 (2) states: "Where a State does not have adequate institutions offering courses or training in teacher education, or, teachers possessing minimum qualifications as laid down under sub-section (1), are not available in sufficient numbers, the Central Government may, if it deems necessary, by notification, relax the minimum qualifications for appointment as a teacher for such period not exceeding five years, as may be specified in that notification." So, we are taking care of quality that there will be minimum qualifications, and if you don't have them, the maximum period given to you will be five years. That is the next point, I wanted to make, that you are going to get quality teachers. And we have set out obligations of a teacher as well, as to what a teacher is going to do. अब States में क्या हो रहा था कि States have stopped recruiting teachers because there was a ban on regular appointments. So, there used to be recruitments on contract basis, on *ad hoc* basis, without qualifications, and that has created the problem. That is the real reason. अब हम यह कह रहे हैं कि इस विधेयक के अंतर्गत उनको कह रहे हैं कि अगर आप पढ़ाना चाहते है तो आपको ये qualifications लेनी पड़ेगी। अगर आप नही लेंगे तो आपकी नौकरी चली जाएगी। इस प्रकार, quality का भी हम ध्यान रख रहे हैं। What we have provided here was that every neighbourhood school shall be constructed within a period of three years from the passing of this Act. Three years are given. Somebody said, three years is too long a period. I don't believe so. I think if we can accomplish this task in three years, it would be a great credit to the country and to everybody who is participating in this national enterprise. Then, apart from quality education, quality teachers, we are looking at sixth, social responsibility. Without social responsibility you can't take the entire community with you. So, it is very important to have that reservation provision. And, as I said, the point is India is so diverse, and we will have different inputs from various States in this country about the working of this Bill that we will have to have the kind of flexibility that we need to ensure

that it is implemented in a reasonable and efficacious manner, and that flexibility we will have. So, social responsibility is a very important aspect of this Bill. And, of course, as I said, this also, in a way, tries to attempt to deal with the issue of child labour. We cannot resolve it, but it attempts to deal with it. So, that is the seventh aspect of this Bill. The eighth aspect is, it de-bureaucractises the system. आपको ट्रांसफर सर्टिफिकेट चाहिए तो आपको कोई इंकार नहीं है? यह नहीं कि साहब, हम ट्रांसफर नहीं देंगे। स्कूल में जाते हो, वह कहता है कि एडमिशन नहीं करेंगे, वह नहीं कह सकता, तो यह de-bureaucratisation इस विधेयक में है। And, as I said, ninth aspect is participation of civil society in educating our people. The children are our national assets. They will be running the country in the years to come, and we need to give them respect, we need to give them choices, we need to give them opportunities. That is very important, and this Bill attempts to do that. As I said, what is important is this. Then, everybody agrees that this is something that must be done. Yet, there are, of course, differences, and they should be in a democracy, as to how you will achieve this. And that is where we need the support of all Members of this House and all State Governments and civil society to ensure that we actually move forward in the right direction. And, as I said, last of all, this Biil itself represents a great national enterprise. I am glad that it has happened at last, and we must remember this that ultimately education is all about inspiring children; it is all about a national vision, and knowledge must attract the child. The child must run after knowledge. It must not be foisted on the child. That is the kind of education system that we want. It is part of our National Education Policy. We are looking at accreditation system within the schooling system; we are looking at changing courses; we are looking at doing away with the kind of oppressive examination system that we have in this country. But, of course, you have to have exams. But, it does not mean that the exams determine what the child does. आजकल क्या होता है कि 10वीं की बोर्ड परीक्षा में बैठकर बच्चा पास हो जाए, उसके साइंस स्ट्रीम में अच्छे नम्बर आ जाएं तो बोलेंगे कि अब तुम साइंस स्ट्रीम में चले जाओ, उसके कॉमर्स स्ट्रीम में अच्छे नम्बर आ जाएं तो अब तुम श्रीराम कॉलेज आफ कॉमर्स ज्वाइन कर लो, तभी तो जेटली साहब ने कॉमर्स ज्वाइन किया। क्योंकि अगर इम्तिहान में नम्बर आ जाएं तो वही काम करो, मतलब कि the reslut of the exam decides your career, instead of the child decides. वह भी हमें बदलना है। हमें एक किस्म की क्रांति लानी है और मैं समझता हूं कि जो क्रांति इकनॉमिक सैक्टर में हम लाए थे, वही क्रांति एजुकेशन सैक्टर में हमें लानी है। ...(**व्यवधान**)...

श्रीमती वृंदा कारत : इकनॉमिक सैक्टर में क्रांति! ...(**व्यवधान**)...

श्री कपिल सिब्बल : वृंदा जी कभी मुझसे सहमत नहीं होंगी। ...(**व्यवधान**)...

श्रीमती वृंदा कारत : सर, कम से कम शब्द तो ...(**व्यवधान**)...

श्री कपिल सिब्बल : उपसभापति महोदय, मैं आज के दिन कम से कम इतना ही चाहूंगा कि मैं ...(**व्यवधान**)... हम क्रांति लाएंगे, आप शांति लाइए। हम इस पर बहस कर लेंगे, लेकिन आज तो यहां एजुकेशन पर बहस हो रही

7.00 P.M.

है। एक बात और महत्वपूर्ण है कि we have provided a provision here in section 26, which says that the appointing authority must ensure that the vacancy of a teacher in school under its control shall not exceed 10 per cent of the total sanctioned strength. होता क्या है कि जैसे कई माननीय सदस्यों ने कहा कि सब टीचर नहीं रहते हैं, one teacher school है। We have also ensured it. Now, there is a mandatory provision that their vacancy provision in a school shall not be ever more than 10 per cent. So, we have tried very hard and it has taken a lot of work; it is not as if we have done something overnight, as I said, I also gave you the history at the beginning of my response or my reply. ...*(Interruptions)*... I am not providing anything. I am very happy that they are a hundred per cent, and I am very happy that they are doing well. The point is, we must recognise that we are sitting on a great opportunity for our children and for our nation. We need to grasp that opportunity. If we lose it, I do not know what will happen to our country; because, if 47 million children are not educated,.I think, the consequences of that would be disastrous; we need to seize the opportunity. We do what we can. Even if there are any provisions in this Bill, which requires a different orientation and implementation, we are open to suggestions. But, the thing is, we must move forward, and we must send a message to the rest of the world and to our children that we will ensure that they are provided with the quality education. By the time they are 14 years of age, we will provide them further passage to move forward beyond 14, Class-XII; and, of course, by providing higher education and quality education, we give them an avenue so that they can together take the country forward.

Thank you very much.

SHRI D. RAJA : Just one clarification, Sir. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Would the debate start once again?

SHRI D. RAJA: No, Sir, just one clarification. There is a financial memorandum attached to this Bill which says that clause 7 of the Bill provides that the Central Government and the State Governments shall make available the funds for carrying out its provision. Then, at the end it says, it is not possible to quantify the financial requirement on this account at this stage. I would like to understand this. What is that you are proposing? What is the commitment of the Central Government? What do you expect from the State Governments? This is number one.

Secondly, you were talking about 25 per cent; when I spoke, I mentioned it. It says, 'To the extent, at least 25 per cent of the strength of the class, children belonging to the weaker sections and disadvantaged groups in the neighbourhood and provide free and compulsory elementary education till its completion...' This is where I am saying, already there is a provision of reservation to SCs/STs/OBCs. You can very well mention. This weaker section can be interpreted in different ways by different people. How can you implement this provision?

SHRI JESUDASU SEELAM: We want reservation, Sir. ...*(Interruptions)*...

SHRI KAPIL SIBAL: They will all be done by the State Governments. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Seelam, I have not identified you. Please sit down. *...(Interruptions)...*

SHRI SITARAM YECHURY (West Bengal): During the reply, the hon. Minister referred to article 21A of the Constitution; it was pointed out that it is an enabling provision. But, Sir, the pointed issue is this Bill aims at children between the age group of 6-14. The Bill says that it has not made provisions for below 6 and above 14. But, if you look at clause 11, it says at page-5, 'With a view to prepare children above the age of 3 for elementary education and provide early childhood care and education for all, children until they complete the age of 6 years, the appropriate Government may make necessary arrangements for providing free school education for such children. You have already incorporated a clause. *...(Interruptions)...* Listen. *...(Interruptions)...* My only point is, Sir, if this is the clause and you want to make it functional and effective, then, why don't you link it with the expansion of Anganwadis in every school. Every neighbourhood school that you are starting, you have an Anganwadi associated with it so that this problem can be taken care of.

SHRI KAPIL SIBAL: Where a school provides education below six, the provision in the Bill says that that should continue. That is all.

SHRI P. RAJEEVE: Nothing has been explained about cost of education, that is, cost for clothing, travelling, textbooks, and other things. *...(Interruptions)...* The second point is*...(Interruptions)...*

MR. DEPUTY CHAIRMAN: It is very difficult because there will again be a debate. *...(Interruptions)...* The Minister cannot answer every Member in the House*...(Interruptions)...*There cannot be a new debate on this. *...(Interruptions)...*

SHRI KAPIL SIBAL: Sir, on the issue of what is to be provided, the Schedule in the Bill provides for the kind of things that will be provided to the children. For example, item 5 under 'building' talks about teaching, learning equipment shall be provided to each class as required. About library it says that there will be a library in each school providing newspapers, magazines and books on all subjects including storybooks. Play materials, games, and sports equipments shall be provided. All these things are there. *...(Interruptions)...*

डा. राम प्रकाश : सर, मैं एक बात जानना चाहता हूं।

श्री उपसभापति : मैं बुलाउंगा, आप बैठिए। ...(**व्यवधान**)...

श्री गंगा चरण : सर, मुझे भी ...

श्री उपसभापति : आप बैठिए, मैं बुलाता हूं अभी। ...(**व्यवधान**)... आप बैठिए ज़रा ...मेरे पास दूसरे नाम हैं, आप उठकर खड़े हो जाते हैं! ...(**व्यवधान**)..

श्री गंगा चरण : सर, मैं आरक्षण पर बोलना चाहता हूं।

श्री उपसभापति : आप बोल चुके हैं।

श्री गंगा चरण : सर, 25 परसेंट आरक्षण दिया है ...

श्री उपसभापति : मैंने आपको identify नहीं किया है। मैं आपको बुलाउंगा, प्लीज ...(**व्यवधान**)...

SHRI P. RAJEEVE: I also have one more point for clarification on judicial remedy and the relevance of clause 85 and 86. Who is responsible? *...(Interruptions)...* In all Fundamental Rights, if there is any violation *...(Interruptions)..*

MR. DEPUTY CHAIRMAN: He has already replied your point. He cannot go on answering because he has already replied your query. ...*(Interruptions)*... You have not participated, ...*(Interruptions)*... This is another way of seeking clarifications. ...*(Interruptions)*... Those who have participated, we can allow only them to seek clarifications. In the name of clarification, I cannot allow every Member. ...*(Interruptions)*...

श्री रघुनन्दन शर्मा (मध्य प्रदेश) : माननीय उपसभापति जी, मै मंत्री महोदय से यह जानना चाहूंगा कि उन्होंने अपने उत्तर में बहुत बड़ी बात कह दी है कि वे शिक्षा में क्रांति लाना चाहते हैं और शिक्षा में क्रांति का अर्थ होता है - आमूलचूल परिवर्तन।

श्री उपसभापति : देखिए, इसके ऊपर क्लैरिफिकेशन मैं allow नहीं करूंगा। बिल के बारे में पूछिए। उन्होंने क्या कहा, उस पर ...**(व्यवधान)**...

श्री रघुनन्दन शर्मा : मैं अपना स्पष्टीकरण पूरा कर लूं, फिर उत्तर नहीं देना हो तो न दें, लेकिन मै अपना स्पष्टीकरण तो पूरा कर लूं!

श्री उपसभापति : इसका मतलब यह नहीं कि मैं हर चीज़ allow कर दूं! ...**(व्यवधान)**... अब क्रांति लाने की बात उन्होंने बिल में कही है, तो उसमें क्या क्लैरिफिकेशन है?

श्री रघुनन्दन शर्मा : सर, उन्होंने क्रांति लाने की बात की है और क्रांति लाने का अर्थ है आमूलचूल परिवर्तन। तो क्या वे अंग्रेजों द्वारा स्थापित शिक्षा नीति में आमूलचूल परिवर्तन करने जा रहे है?

SHRI S.S. AHLUWALIA: Sir, I would like to ask about clause 29 and clause 30. The hon. Minister read out clause 29, which is about curriculum and evolution procedure, and clause 30 is about examination and completion. ...*(Interruptions)*... Now, when you got the Report of Prof. Yashpal and prior to that you got the Report of the National Knowledge Commission and subsequently you reacted on TV also that you want to get rid of the examination system. Here also you have mentioned that no child shall be required to pass any Board examination till the completion of the elementary education. Now we have seen that Y2K problem of the entire world was solved by Indian children. After passing this Board examination and then plus two examination without the help of any Government ...*(Interruptions)*... I am coming to that. You said that after getting Prof. Yashpal's Report you will get rid of board examination and there will be no tension for the students. My point is, on this 12th of June and in the month of March the President of America, Barack Obama, while addressing in Chicago said, "Buck up. Look, these Chinese and Indian students are invading America. You must adopt the Indian education system to compete with them." He was praising the Indian system and now you want to change the whole system. You are today laughipg at me but you will become the laughing stock for the nation.

SHRI BHUBANESWAR KALITA (Assam) : Sir, I am on a point of order.

MR. DEPUTY CHAIRMAN: There is no point of order in this. This is not a debate. Shri Ram Gopal Yadav.

प्रो. राम गोपाल यादव (उत्तर प्रदेश) : श्रीमन्, माननीय मंत्री जी ने vacancies के संबंध में appropriate

authorities से appointment की बात जो की है, उसके संबंध में मैं यह स्पष्टीकरण चाहता हूं कि vacancy टीचर और स्टूडेंट के ratio के आधार पर तय होती है। कहीं-कहीं गवर्नमेंट जितनी पोस्ट्स अप्रूव करती है, उसके आधार पर माना जाता है कि कितनी वैकेंसीज़ हैं। इसलिए कौन सा तरीका आप मानेंगे कि कितनी वैकेंसीज़ हैं, टीचर-स्टूडेंट का ratio या गवर्नमेंट जितनी पोस्ट्स अप्रूव करे, उसे?

श्री कपिल सिब्बल : सर, teacher-student ratio का शैड्यूल में अगर आप देखेंगे तो उसमें लिखा है कि कितने टीचर्स कितनी क्लास में होने चाहिए। पांचवीं क्लास तक कितने होने चाहिए और छठी से लेकर आठवीं तक कितने होने चाहिए, उसी के अंतर्गत vacancies का ratio डिसाइड होगा।

श्री राम प्रकाश : माननीय उपसभापति जी, मैं आपके माध्यम से माननीय मंत्री जी से यह जानना चाहता हूं कि क्या आप अपने मजदूरों और कम paid employees के बच्चों को पढ़ाने की जिम्मेदारी औद्योगिक घरानों की बनाएंगे या नहीं? क्योंकि औद्योगिक घराने ज्यादा फीस के पब्लिक स्कूल को खूब खोल रहे हैं, वे स्कूल money minting machine बन गए हैं लेकिन उनकी यह जिम्मेदारी भी होनी चाहिए कि अपने यहां काम करने वाले गरीबों के बच्चों की पढ़ाई की व्यवस्था करें। जब हम कंपलसरी एजुकेशन की बात कर रहे हैं, ऐसे में क्या आप इस तरह के स्कूल खोलने के लिए उन्हें बाध्य करेंगे या नहीं?

SHRI N. K. SINGH: There are two things, I am grateful to the Minister. He has indicated flexibility in the working of Clause 12. Based on experience he will see what can be done. My question and clarification is a specific one. I refer to the financial memorandum. Now, Mr. Raja has also mentioned this. On the overall financial liability on which there are widely different figures – the hon. Minister has indicated that a group is already working on the likely financial liability. I wish to just point out to the Minister that the 13th Finance Commission mandatorily will submit its recommendations to the Government by the 31st of October. So, I seek a confirmation that before the Finance Commission submits its recommendations, it will have the financial data from this specialised body.

SHRI KAPIL SIBAL: Absolutely, I am grateful to the hon. Member. That is exactly what I said. I said that this term is coming to an end and we want to do this exercise very quickly so that all that can be dealt with by the Finance Commission.

डा. राम प्रकाश : सर, मेरे प्वाइंट का जवाब नहीं आया है।

श्री गंगा चरण : सर, मैं मंत्री जी का ध्यान अध्याय चार के सेक्शन 12 (ग) की ओर आकर्षित करना चाहता हूं कि "विद्यालय पहली कक्षा में दुर्बल वर्ग और असुविधाग्रस्त समूह को उस कक्षा में बालकों की कुल संख्या के कम से कम 25 प्रतिशत की सीमा तक प्रवेश देगा।" "असुविधावर्ग और दुर्बल वर्ग" क्या एससी, एसटी और ओबीसी के लिए है, कृपया इसको क्लैरीफाई करें। अगर जनरल है तो किसको दुर्बल वर्ग और असुविधाग्रस्त माना जाएगा।

SHRI KAPIL SIBAL: As I said, this is something that we will allow the State Government to do and this incidentally applies to private schools, to Kendriya Vidyalayas and to all schools because the definition of school includes every school in this country. So, even in Kendriya Vidyalayas, you are now going to have 25 per cent of neighbourhood children. So, how is that to be done? We will leave it to the State Government to define.

श्री अवतार सिंह करीमपुरी : सर, हमने आदरणीय मंत्री जी को लिखित में भी सजेशन दिया था। चूंकि एजुकेशन में चिल्ड्रन का जो ड्रोप रेट है, उसमें माइग्रेंट लेबर का बहुत बड़ा रोल है। हम यह सजेस्ट करना चाहते हैं ...**(व्यवधान)**...

श्री उपसभापति : आप क्लेरिफिकेशन पूछिए।

श्री अवतार सिंह करीमपुरी : हम यह सजेस्ट करना चाहते हैं, क्लेरिफिकेशन नहीं, हम सजेशन देना चाहते हैं।

श्री उपसभापति : सजेशन नहीं होगा, क्योंकि सजेशन की बात आपने कर दी है।

श्री अवतार सिंह करीमपुरी : हम यह चाहते कि इसमें हॉस्टल की प्रोविजन बेशक डिस्ट्रिक्ट पर हो, कमिश्नरी लेविल पर हो, ताकि जो माइग्रेंट लेबर के बच्चे हैं, उनके रहने और एजुकेशन की कोई व्यवस्था परमानेंटली हो सके। इसके साथ हम मंत्री जी से यह भी क्लेरिफिकेशन चाहते हैं कि जो रिजर्वेशन के बारे में है, वह स्टेट के ऊपर छोड़ दिया गया है। अगर मंडल कमीशन की रिपोर्ट के बारे में हम स्टेट का एक्सपरिएंस देखें तो बहुत स्टेट्स ने उसको अभी तक इम्प्लीमेंट नही किया है। तो बहुत स्टेट्स में इसकी वॉयलेशन हो सकती है। तो क्यों नहीं इसमें एस.सी., एस.टी. और ओ.बी.सी. का प्रावधान किया गया है? यह होना चाहिए। It should be added in the Bill.

SHRI BHUBANESWAR KALITA : Sir, I have a very simple point to make. Hon. Shri S.S. Ahluwalia, while seeking his clarifications, referred the hon. Minister as 'Baba.' I would like to know whether the word 'Babal' is a Parliamentary word. If it is Unparliamentary, it should be expunged.

श्री एस. एस. अहलुवालिया : अरे, नो बाबा।

MR. DEPUTY CHAIRMAN: We will see. If it is Unparliamentary, we will expunge it. Mr. Seelam. Your point has already been discussed.

SHRI JESUDASU SEELAM: Sir, there is no specific provision for penalty on any authority if it fails to provide this right.

Secondly, why do we need a clarification on reservation? It is because it is likely to be challenged in the court of law. Every time it happens. ...*(Interruptions)*... Sir, let me complete. When we are clubbed it with others, it may create problems. In the Constitution, economic backward classes are not recognised, if I am correct. He is an expert in law. But, if it is combined, there is likelihood of keeping SC/ST and OBC in abeyance. This is the problem. You are mixing apples and oranges! Please separate them.

SHRIMATI BRINDA KARAT: Sir, it is a universal right and every child in this country has the right to education, compulsorily. I don't understand why the hon. Minister is causing confusion by adding such things in the Bill. I don't understand. If you say that there will be no discrimination on the basis of caste to keep any child out of school, it is correct. It is because, today, there are many, many examples of Dalit children being kept out of schools and are not given access even to water in schools. Therefore, this Bill wants to protect the rights of Dalit children. It has to say, 'any discrimination on the basis of caste, etc., is punishable under this Bill, apart from the Constitutional requirements.' Otherwise, where is the question of reservation? I do not quite understand.

SHRI KAPIL SIBAL: Sir, I just want to inform the hon. Members that if you look at Clause 2(e), which deals with child belonging to weaker section, it is clear. It says, "child belonging to weaker section' means a child belonging to such parent or guardian whose annual income is lower than the minimum limit specified by the appropriate Government, by notification." This is what I was telling you. It is left to the Government.

MR. DEPUTY CHAIRMAN: Now, the question is:

That the Bill to provide for free and compulsory education to all children of the age of six to fourteen years, be taken into consideration.

The motion was adopted.

MR. DEPUTY CHAIRMAN: Now, we shall take up Clause-by-Clause consideration of the Bill.

Clauses 2 to 6 were added to the Bill.

Clause 7 – Sharing of financial and other responsibilities.

MR. DEPUTY CHAIRMAN: In Clause 7, there are four amendments (Nos. 10-13) by Shri Moinul Hassan. Are you moving?

SHRI MOINUL HASSAN (West Bengal): Sir, I move:

10. That at page 4, line 3 *after* the words, "The Central Government", the words "and the State Governments" be *inserted.*

11. That at page 4, / *for* lines 5 to 7, the following be *substituted*, namely:

"(3) The Central Government shall provide to the State ' Governments, as grant-in-aid of revenues, at least seventy-five per cent of expenditure referred to in sub-section (2)".

12. That at page 4, line 8, *for* the word, "may" the word "shall" be *substituted.*

13. That at page 4, lines 13 to 16, be *deleted.*

The questions were put and the amendments were negatived.

Clause 7 was added to the Bill.

Clause 8 – Duties of appropriate Government.

MR. DEPUTY CHAIRMAN: In Clause 8, there is one amendment (No. 14) by Shri Moinul Hassan. Are you moving?

SHRI MOINUL HASSAN : Sir, I move:

14. That at page 4, line 34, *after* the words, "fourteen years" the words "and also supply free text-books, copies, learning aids, uniforms, mid day meal and the like" be *inserted."*

The question was put and the amendment was negatived.

Clause 8 was added to the Bill.

Clauses 9 and 10 were added to the Bill.

Clause 11 – Appropriate Government to provide for pre-school education

MR. DEPUTY CHAIRMAN: In Clause 11, there is one amendment (No. 15) by Shri Moinul Hassan. Are you moving?

SHRI MOINUL HASSAN : Sir, I move:

That at page 5, line 36, *for* the word, "may" the word "shall" be *substituted."*

The question was put and the amendment was negatived.

Clause 11 was added to the Bill.

Clause 12 – Extent of school's responsibility for free and compulsory education.

MR. DEPUTY CHAIRMAN: In Clause 12, there is one amendment (No. 16) by Shri Moinul Hassan. Are you moving?

SHRI MOINUL HASSAN : Sir, I move:

16. That at page 5, line 48, *for* the word, "twenty-five" the word "fifty" be *substituted."*

The question was put and the amendment was negatived.

Clause 12 was added to the Bill. Clauses 13-18 were added to the Bill.

Clause 19 - Norms and standards for school.

MR. DEPUTY CHAIRMAN: In Clause 19, there is one amendment (No.3) by Shri Kapil Sibal.

SHRI KAPIL SIBAL: Sir, I move:

3. That at page 7, line 15, *for* the words, "established or" the word "established, or" be *substituted'*."

The question was put and the motion was adopted.

Clause 19, as amended, was added to the Bill.

Clause 20 was added to the Bill.

Clause 21 – School Management Committee

MR. DEPUTY CHAIRMAN: In Clause 21, there is one amendment (No.4) by Shri Kapil Sibal.

SHRI KAPIL SIBAL: Sir, I move:

That at page 7, *after* tine 39, the following proviso be *Inserted,* namely: -

"Provided also that fifty per cent of Mambars of such Committee shall be women"

The question was put and the motion was adopted.

Clause 21, as amended, was added to the Bill.

Clause 22 was added to the Bill.

Clause 23 – Qualifications for appointment and terms and conditions of service of teachers.

MR. DEPUTY CHAIRMAN: In Clause 23, there is one amendment (No. 17) by Shri Moinul Hassan. Are you moving?

SHRI MOINUL HASSAN : Sir, I move:

That at page 8, *after* line 3, the following proviso be *inserted*, namely:-

> "Provided that these minimum qualifications conform to the norms and guidelines under the National Council For Teacher Education Act, 1993 and the pay scales and services of the teachers conform to the latest Pay Commission".

The question was put and the amendment was negatived.

Clause 23 was added to the Bill.

Clauses 24-31 were added to the Bill.

Clause 32 – Redressal of grievances.

MR. DEPUTY CHAIRMAN: In Clause 32, there is one amendment (No.5) by Shri Kapil Sibal.

SHRI KAPIL SIBAL: Sir, I move:

That at page 9, line 44, *for* the words "as early as possible" the words "within a period of three months" be *substituted*.

The question was put and the motion was adopted.

Clause 32, as amended, was added to the Bill.

Clause 33 was added to the Bill.

New Clause 33A - Constitution of State Advisory Council

MR. DEPUTY CHAIRMAN: There is one amendment (No. 6) by the hon. Minister for insertion of new clause 33(A)

SHRI KAPIL SIBAL: Sir, I move:

6. That at page 10, *after* line 9, the following new clause be *inserted*, namely:

"33A. (1) The State Government shall constitute, by notification, a State Advisory Council consisting of such number of Members, not exceeding fifteen, as the State Government may deem necessary, to be appointed from amongst persons having knowledge and practical experience in the field of elementary education and child development.

(2) The functions of the State Advisory Council shall be to advise the State Government on implementation of the provisions of the Act in an effective manner.

(3) The allowances and other terms and conditions of appointment of Members of the State Advisory Council shall be such as may be prescribed.

The question was put and the motion was adopted.

Clause 33A was added to the Bill.

MR. DEPUTY CHAIRMAN: We shall now take up clause 34. There is one Amendment (No.7) by Shri Kapil Sibal.

Clause 34 – Power to issue directions

SHRI KAPIL SIBAL: Sir I move:-

That at page 10, line 12, *for* the words, "issue guidelines and give such directions" the words "issue such guidelines" be *substituted.*

The question was put and the motion was adopted.

Clause 34, as amended, was added to the Bill.

Clauses 35-36 were added to the Bill.

MR. DEPUTY CHAIRMAN: We shall now take up clause 37. There is one Amendment (No.8) by Shri Kapil Sibal.

Clause 37 - Power of appropriate Government to make rules

SHRI KAPIL SIBAL; Sir, I move:

That at page 11, *after* line 16, the following be *inserted*, namely:-

"(r) the allowances and other terms and conditions of appointment of Members of the State Advisory Council under sub-section (3) of section 33 A,"

The question was put and the motion was adopted.

Clause 37, as amended, was added to the Bill.

MR. DEPUTY CHAIRMAN: We shall now take up Schedule of the Bill. There are three amendments, (No. 9 by Shri Kapil Sibal) and Nos. 18 and 19 by Shri Moinul Hassan. First, we shall take up amendment no. 9 by Shri Kapil Sibal.

The Schedule

SHRI KAPIL SIBAL: Sir, I move:

That at page 13, line 12, in column 2 *for* the words

"teaching plus preparation hours" the words "teaching including preparation hours" be *substituted.*

The question was put and the motion was adopted.

SHRI MOINUL HASSAN: Sir, I move:

That at page 12, *after* line 5, the following words be *inserted* namely:-

"There shall be at least one teacher per class for first class to fifth class."

That at page 12, line 38, *for* the words, "every teacher" the words "every class" be *substituted.*

The questions were put and the amendments were negatived.

The Schedule, as amended, was added to the Bill.

MR. DEPUTY CHAIRMAN: We shall now take up clause 1. There is one Amendment No. 2 by Shri Kapil Sibal.

Clause 1 - Short Title, extent and commencement

SHRI KAPIL SIBAL: Sir, I move:

That at page 1, line 6, *for* the figure "2008" the figure "2009" be *substituted.*

The question was put and the motion was adopted.

Clause 1, as amended, was added to the Bill.

MR. DEPUTY CHAIRMAN: We shall now take up the Enacting Formula of the Bill. There is one amendment no. 1 by Shri Kapil Sibal.

Enacting Formula

SHRI KAPIL SIBAL: Sir, I move:

That at page 1, line 1, *for* the word "Fifty-ninth", the word

"Sixtieth" be *substituted.*

The question was put and the motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

SHRI KAPIL SIBAL: Sir, I move:

That the Bill, as amended, be passed.

The question was put and the motion was adopted.

MR. DEPUTY CHAIRMAN: The House is adjourned to meet tomorrow at 11.00 a.m.

The House then adjourned at twenty-eight minutes past seven of the clock till eleven of the clock on Tuesday, the 21st July, 2009.